

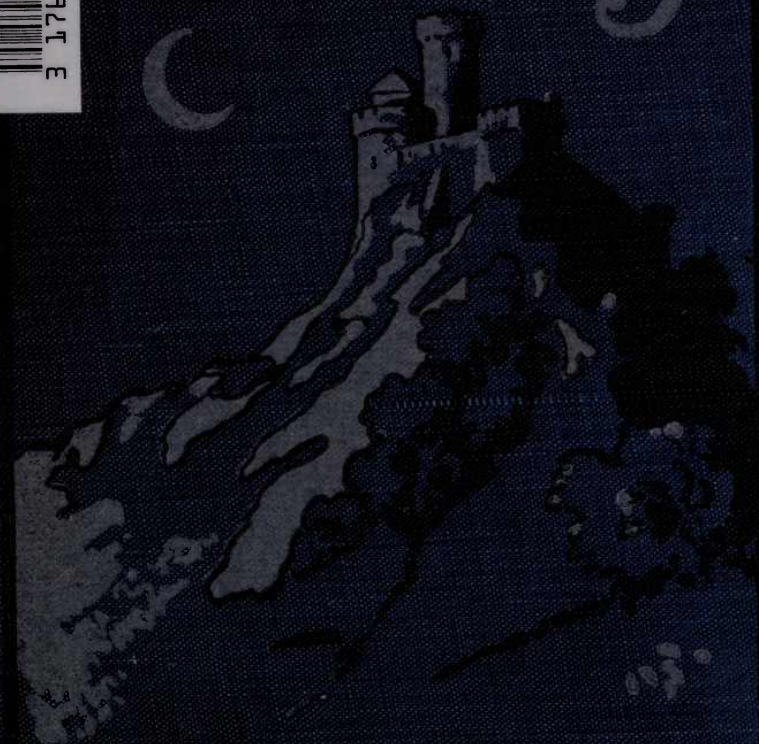


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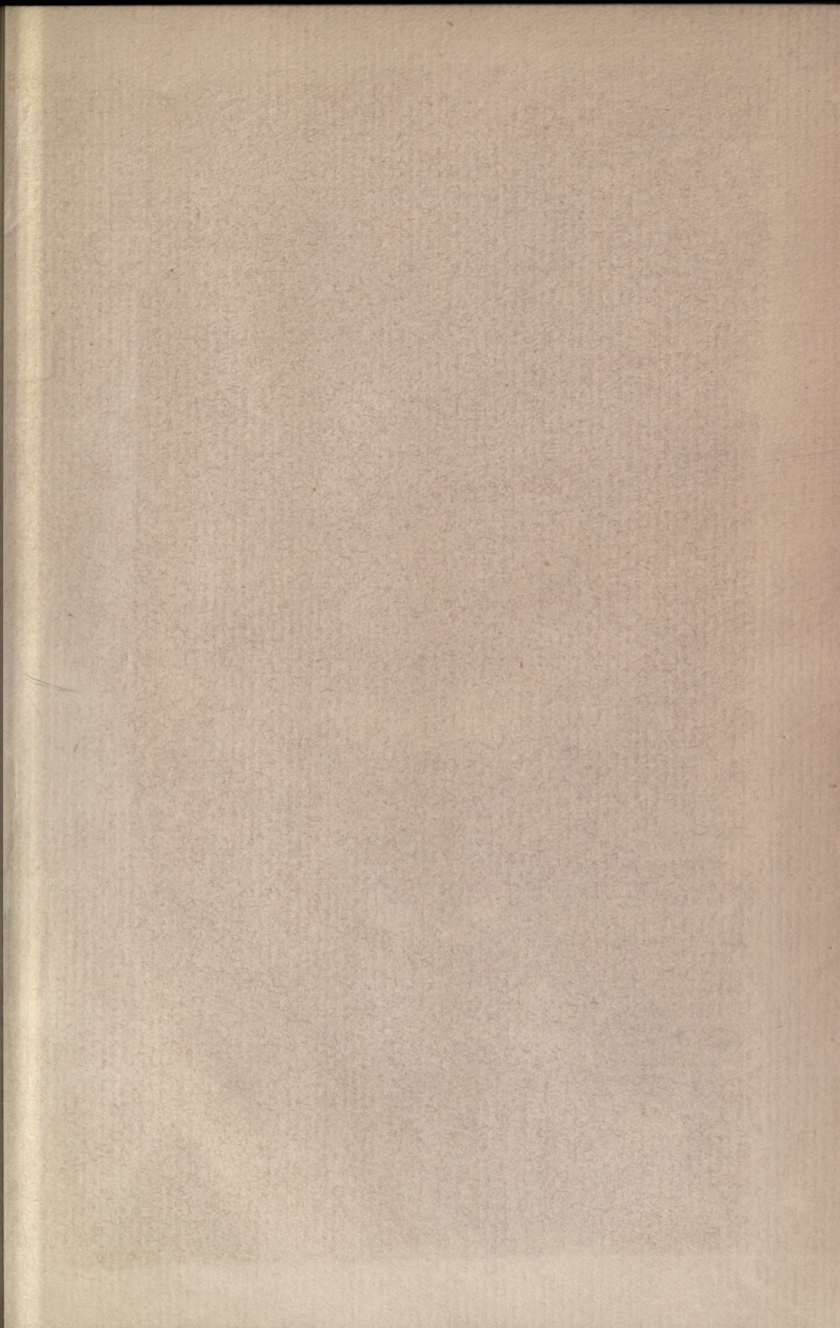


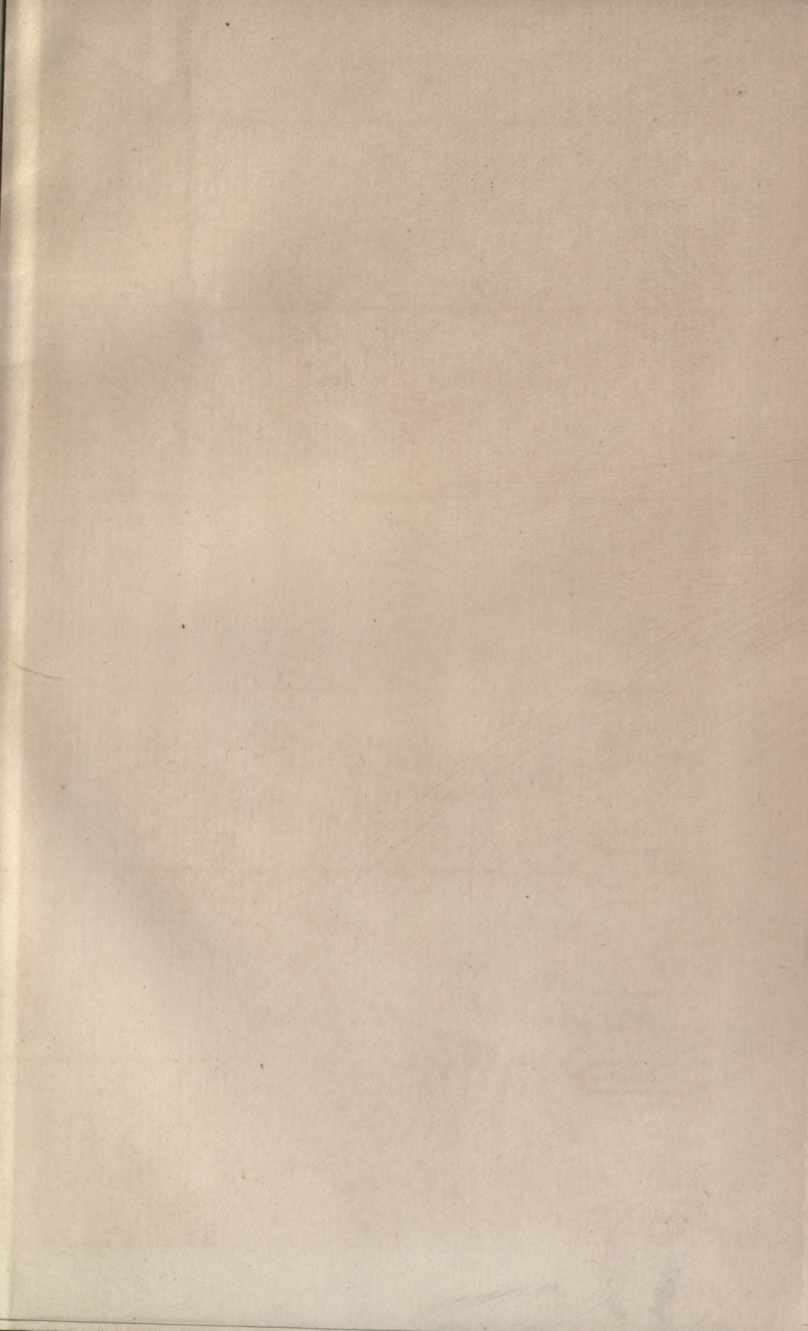
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ROMANTIC NARRATIVES

From Scottish History and
Tradition

BY

ROBERT SCOTT FITTIS

*Author of "Heroines of Scotland," "Sports and Pastimes of Scotland,"
"Curious Episodes in Scottish History," &c.*

. . . Ancient lore
In chronicle or legend rare explore
Joanna Baillie—"Birthday Lines"

Oft conducted by historic truth,
You tread the long extent of backward time
Thomson's "Seasons" (Spring)

PAISLEY: ALEXANDER GARDNER

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4/6 Dec. 31st. 103 c. 28.

I.—A Wild Scot of Galloway.

My tale I will tell that the sceptic may scan,
If the Galloway Wild Scot was merely a man.

—*Joseph Train.*

AN old family among the “wild Scots of Galloway” bore the surname of Maculach, Mackulagh, or M‘Culloch—one of the oldest families, indeed, in that rude and turbulent province of Scotland—and claimed as progenitor a king of the Britons of Strathclyde.

From an early period the Maculachs held lands in Wigtonshire and the Stewartry of Kirkcudbright: and they, like many other Galwegians, supported John Baliol in his competition with Robert Bruce for the Scottish crown. Moreover, when Baliol was driven from his throne by Edward I., the Maculachs ranged themselves on the side of the victorious invader, to whom a William Mackulagh swore fealty at Berwick, in 1296: and to that side the family steadfastly adhered throughout the War of Independence under Wallace and Bruce. In reward of his constancy, Thomas Mackulagh, the head of the house, was raised by King Edward, in 1305, to the dignity of Sheriff of Wigtonshire. Eventually all Galloway submitted to King Robert Bruce. But Edward

Baliol's enterprise to dispossess the infant King, David Bruce, of his regal birthright, was stoutly backed by Patrick Maculach, to whom, in 1337-38, Edward III. of England granted a pension of £20; and in 1341, the same monarch ordered payment of £2 and 14 pence to Gilbert Maculach, as his wages in the English service. The star of Baliol, however, set in disaster, and David II. was restored to his throne.

When David invaded England, and was defeated and taken prisoner at the battle of Durham, in 1346, Edward Baliol, judging that his star was emerging from the abyss of misfortune, entered Galloway, and was cordially welcomed by the Maculachs and others; but his cause made no head—the stars in their courses were fighting against him. Negotiations being set on foot by the Scots for the ransom of their sovereign, Baliol appointed three Commissioners, one of whom was Patrick Maculach, to protest before Edward III. and his Council against the liberation, on any terms, of the royal captive. The protest was duly made, and in response King Edward gave assurance that nothing should be done prejudicial to the Baliol interest. But King David was ultimately released, and Baliol's adherents in wild Galloway were soon subdued.

The Galwegians rose in support of the insurrection in 1488, against James III., and were led to the field of Sauchie, under the command of Lord Gray. Among them was Alexander M'Culloch of Myretown, the head of the family, who obtained from James IV. the appointment of Master of the King's Hawks, with a pension of £100.

In 1664, the M'Culloch house of Myretoun, in the Wigtonshire parish of Mochrum, was honoured by

Charles II. with a baronetage of Nova Scotia. But even then that house had entered on decline, which in after years progressed by rapid stages to utter ruin. *Facilis est descensus Averno.*

The lands of Cardiness or Cardoness, in the Kirkcudbright parish of Anwoth, with their ancient square tower surmounting a height which overlooks the river Fleet as it debouches into the bay of that name, had once, it seems, been owned by the M'Cullochs, but were now owned by a family called Gordon. A claim to this property was set up by the baronet of Myretoun, who had his residence at the house of Bardarroch, on the same side of Fleet Bay. The claim was denied *in toto*, and so he resolved to oust the Gordons by any means fair or foul. At first, he tried to give his proceedings the colour of law. The Gordons, like most of their neighbours, were owing debts, and these, which were of no considerable amount, Sir Alexander began to buy up from the creditors whenever he found opportunity. "He did buy certain pleas, debts, comprisings, and factories of the estate, and used all means to get himself intruded thereunto" by procuring diligence and "Letters of Ejection," or Ejectment, against the Gordons. But they withstood his practices, and would not be ejected. He was a man of violent passions, and the resistance and consequent disappointment roused him to resort to measures beyond the law, which as yet was little respected in that half-civilized province.

By the year 1664, the Laird of Cardiness was dead, leaving a widow, Marion Peebles, styled by courtesy of the country Lady Cardiness, and two sons, William and Alexander, who lived in family with her at the house of Bussabiel, or Bush o' Bield, in the same parish of Anwoth.

This house, which was somewhat of baronial structure, having been probably built for some Laird, and stood in the midst of sheltering trees (hence the word *Bush*), had been the residence or manse of the famous Samuel Rutherford while minister of Inwoth, 1627 to 1639, except during his banishment to Aberdeen for about a year and a half previous to February, 1638. The Lady Cardiness was now an aged and infirm woman, obliged to walk with a stilt. She was liferentrix of the estate, which, after her death, was to pass to the heir, a young grandson.

The Myretoun baronet resolved to deal with the strong hand by instituting a "reign of terror," which would, he thought, frighten the Gordons out of house and land. With this view, he, on Friday, the 19th August, 1664, assembled an armed band comprising his two sons, Godfrey and John, three M'Culloch kinsmen, Alexander Ferguson of Kilkerran, and others, and leading them on to Bush o' Bield, began a series of barbarous outrages, which probably could only have been perpetrated in Galloway. The poor old lady was in bed when her enemies came; but this did not prevent them assailing her with blows till she fainted among their hands; and next they pulled down the roof of the room where she lay, with the evident intention of smothering her. Thinking they had effectually disposed of the mother, they fell foul of the son William, "wounded him dangerously in the arm and hand, to the hazard of his life, not permitting the servants to give him drink, or go for a chirurgeon to dress his wounds, or administer any kind of help or comfort to him for a long time." When the gang had done all this mischief, they took their departure. What did the law, so outrageously broken,

do in the case? Nothing. William Gordon, dreading a recurrence of the onfall, and justly afraid for his life, thought it best to seek safety in another part of the country, where he remained for some while; but his mother still kept her place.

William was quite right in judging that M'Culloch would return like the dog to his vomit. Next year and the year after, he and his emissaries renewed their attacks. On one occasion they treated the old lady in the most unmanly and savage manner; they "did first beat her almost to death with the stilt wherewith she walked, and then dragged her out of the house and left her upon the dunghill!" This was the form of Galwegian eviction upon impetrated "Letters"! At another visit, the ruffians behaved with equal inhumanity, dragging the infirm woman out of the house and flinging her down in the open field, and then wantonly breaking and destroying everything within doors. It was perhaps at this time, whilst the house was being ransacked, that Myretoun discovered the title-deeds of Cardiness and took possession of them *brevi manu* to strengthen his assumed claim. Still, despite all his violence, the lady would not "flit and remove herself." So he came back again on another day. She was in bed, and he and his gang "did keep her from sleep as well as meat; and, further, did throw down water and other liquid matters upon her, so that she was forced to retire and shelter herself within the bounds of the kitchen chimney for her safety." At intervals of weeks, Myretoun persistently returned, continuing his course of barbarity. He sought to murder the lady's two sons, and seized "all her rents, corns, goods, and gear, whereupon she could have

lived." In the end, worn out by such prosecution, she burst a blood-vessel and died.

Appeal was made to the Privy Council of Scotland, who, after pottering over the case, passed sentence of fine and imprisonment upon the depredators ; but it was never carried into effect. Myretoun, however, ceased his attacks, and the Gordons kept possession of Cardiness.

Time mellows wine, but it did not mellow the spirit of the M'Cullochs. "As the auld cock craws, the young ane learns ;" and so it proved with them. Sir Alexander's two sons were indurated in lawlessness by his example ; and when Godfrey, the eldest, succeeded on his father's death to the lands and baronetcy, he speedily showed that, like Rehoboam, he would make his little finger thicker than his father's loins. Prodigality and profligacy gradually involved him over head and ears in debt. His creditors took steps to adjudicate and sell his estate, the value of which, however, was not considered equal to his obligations. But Sir Godfrey, for a space, boldly kept his creditors at bay, defying them to do their worst.

Eventually reduced to extremity, the knight cast about for some means of livelihood. When James II. came to the throne, our desperate hero conceived that by making a feint of perversion to Rome, he might propitiate the bigoted King's favour. Accordingly, he sent his eldest son to the Roman Catholic School established in the Palace of Holyrood—the result being that he soon obtained, by royal order, a grant of five hundred merks annually out of his lands, and was allowed to occupy *ad interim* his house of Bardarroch. On the 21st April, 1685, the Privy Council appointed him one of the new

Commissioners of Justiciary, for trying and punishing Covenanting recusants in the southern and western shires. It was by this Commission that at Wigton, on 13th April—eight days before M'Culloch's appointment—Margaret Lauchlison and Margaret Wilson were tried and sentenced to be drowned. Thus, as a "prosecutor," Sir Godfrey added to his already evil-enough reputation.

The grant of five hundred merks yearly secured the needy baronet from sheer destitution ; but not content, he proceeded to circumvent his creditors by ultroneously lifting the rents of the estate, cutting down and selling the trees thereon, and withholding the title-deeds. In July, 1689, his conduct was brought before the Privy Council, who ordained him to deliver up the titles and remove from Bardarroch House, but at the same time assigned him an annual aliment of six hundred merks out of the rents. Sir Godfrey gladly took the six hundred merks, but in no respect did he obey the Council's orders. A warrant of ejectment was issued against him ; but where was the power to enforce it ? Not certainly within the bounds of wild Galloway.

In the midst of this embroglio, Sir Godfrey's old animosity to the Gordons of Cardiness blazed out afresh. William Gordon, the assaulted in former days, had now come by succession into the Cardiness heritage, and lived at Bush o' Bield. He had neither wife nor child ; and his niece, Elizabeth Gordon, who was his next of kin, was the spouse of William Stewart, Laird of Castle-Stewart. Gordon had poinded and impounded some cattle belonging to two persons, his debtors, who straightway went to Sir Godfrey, as the true laird of Cardiness, and besought him to help them in recovering

their bestial. He eagerly caught at the chance of gratifying his long-hoarded vengeance.

On Thursday, 2nd October, 1690, the knight armed himself with a loaded gun, and, in company with the two debtors, repaired to the house of Bush o' Bield; and, having reached the place, was told at the gate that Gordon was at home, upon which he directed the servant to inform his master that a person outside desired to speak with him. Evidently the servant did not know the visitor, otherwise he would have put his master on his guard. A sermon was to be preached that day in Anwoth Kirk—a small, confined edifice, built in 1626; and Mr. Michael Bruce was incumbent, having been admitted in 1689. Gordon was making ready to attend the service; but, on receiving the treacherous message, he came out to the gate, and must have started on seeing who it was that awaited him. Some short colloquy took place concerning the poinded cattle, which apparently were in the yard, and which Gordon refused to give up. Upon this, Sir Godfrey presented the gun at him and fired. The shot broke one of the victim's legs below the knee, and he fell to the ground. The assassin, advancing, stood over him and exclaimed—"Dog! I have now avenged myself!" When the servants ran to lift their master, M'Culloch not only prevented them by deadly threats, but savagely ordered the cattle to be driven over the fallen man—"the dog," as he wickedly called him. The two debtors, horrified at the deed, left the murderer, and never saw his face again for more than six long years.

His dastardly purpose accomplished, Sir Godfrey quitted the spot at his leisure. About half-a-mile distant, at a place called Goatend, he entered the house of

a man named Samuel Brown, where he boasted to the inmates of what he had done at Bush o' Bield. He stayed till word came that Gordon was mortally wounded and would not live many hours. This news struck the assassin with consternation ; and, fearing that the countryside would rise upon him, he consulted his own safety by taking to the road with all speed. Within five or six hours, William Gordon expired.

Galloway—nay, broad Scotland itself—was too hot to hold the assassin, and he knew it. He made his way to the Continent, ridding wild Galloway of its wildest pest.

How the fugitive managed to subsist in foreign parts is unknown ; but several years of exile passed over his head. At length, thinking that all danger of being called to account was obviated by the lapse of time, he came across to England. Indeed, it seemed as though the avenger of blood was pacified ; for the Laird of Castle-Stewart made offer that, if the Cardiness titles were restored to him, he would use his utmost influence to procure the murderer's pardon. Sir Godfrey was mad enough to reject this offer with disdain. Moreover, he had the temerity to come down in disguise to Edinburgh in the month of December, 1696, where he took obscure lodgings, and assumed the name of Mr. Johnstoun. What object he expected to attain cannot be divined. Presuming that he was unrecognisable, he ventured to attend church one Sunday ; but his careful disguise was penetrated by the keen eye of a Galloway gentleman, one of his creditors, who, starting up in his pew, exclaimed in a voice of thunder—"Shut the doors, there's a murderer in the house !" Sir Godfrey was pointed out, seized, and hurried to the Tolbooth.

There he lay a prisoner until Tuesday, the 16th

February, 1697, when he was brought before the High Court of Justiciary upon an indictment at the instance of Elizabeth Gordon, niece and nearest of kin to the deceased William Gordon of Cardiness, and William Stewart of Castle-Stewart, her husband, as also at the instance of Sir James Stewart, His Majesty's Advocate, for His Highness' interest, charging him (the panel) with the assassination of William Gordon. He pled not guilty; but the proof adduced against him was clear and conclusive, especially the evidence of the two owners of the poinded cattle. He was found guilty. The following are the jury's verdict and the sentence pronounced by the Lords :—

THE VERDICT OF ASSIZE.

The said day the persons who passed upon the Assize of Sir Godfrey M'Culloch, returned their Verdict in presence of the saids Lords whereof the tenor follows :—

The Assize having elected Sir William Binning of Walliford, their Chancellor, and Mr. George Rome, their Clerk, they in one voice Finds it proven by the testimonie of the Witnesses adduced, that the Pannell Sir George M'Culloch of Myretoun, did give the deceast William Gordon of Cardiness a shot in the leg, beneath the garter, by which his leg was brock : and Finds it also Proven by the concurring testimonie of the Witnesses adduced, that the said deceast William Gordon of Cardiness dyed that same night. *Sic sub*, William Binning, Chancellor, George Rome, Clerk.

DOOM.

The Lords Justice Clerk and Commissioners of Justiciarie having considered the Verdict of Assize above written : They therefore, by the mouth of John Ritchie, Dempster of Court, Decern and Adjudge the said Sir Godfrey M'Culloch to be taken to the Mercat Cross of Edinburgh, upon Fryday the fyfth day of March next to come, betwixt two and four o'clock in the afternoon, and

there to have his head severed from his body, and all his moveable goods and gear to be escheat and inbrought to his Majesty's use, which is pronounced for doom.

<i>Sic Sub.</i>	AD. COCKBURN.	C. CAMPBELL.
	DAVID HOME.	JO. LAWDER.
	J. HOPE.	J. FALCONER.

But Sir Godfrey did not lose his head on the afternoon appointed. On the previous day, the 4th March, he petitioned the Lords for a respite, setting forth that believing his crime would have been condoned by the lapse of years, he was "exceedingly surprised and unprepared to die." A respite was granted till Friday, the 26th of March, when he was brought to the Cross of Edinburgh and beheaded by the axe of the "Scottish Maiden." The following speech he delivered on the scaffold :—

THE LAST SPEECH of Sir Godfrey M'Culloch of Myreton, Knight and Baronet, who was beheaded at the Cross of Edinburgh, the twenty-six day of March, 1697.

"I am brought here, good people, to give satisfaction to justice for the slaughter of *William Gordon*, designed of *Cardines*, and therefore I am obliged as a dying man, to give a faithful and true account of the matter.

"I do declare in the sight of God I had no design against his life, nor did I expect to see him when I came where the accident happened. I came there contrair to my inclination, being pressed by these two persons who were the principal witnesses against me (they declaring he was not out of bed), that I might relieve their goods he had poinited : I do freely forgive them, and I pray heartily God may forgive them for bringing me to that place.

"When I was in *England*, I was oft-times urged by several persons who declared they had commission from *Castle-Stewart* and his Lady (now the pursuers for my blood) that I might give up the papers of these lands of *Cardines*, whereupon they promised

not only a piece of money but also to concur for procuring me a Remission ; and I have been several times since in the country where the misfortune happened, and where they lived, but never troubled by any of them ; although now after they had got themselves secured in these lands without me, they have been very active in the pursuit, untill at last they have got me brought to this place.

“ I do acknowledge my sentence is just, and does not repine ; for albeit it was only a single wound in the leg, by a shot of small hail, which was neither intended nor could be foreseen to be deadly ; yet I do believe that God in his justice hath suffered me to fall in that miserable accident, for which I am now to suffer, because of my many other great and grievous unrepented for sins ; I do therefore heartily forgive my judges, accusers, witnesses, and all others who have now, or at any time, injured me, as I wish to be forgiven.

“ I recommend my wife and poor children to the protection of the Almighty God, who doth take care of and provide for the widow and fatherless ; and prays that God may stir up and enable their friends and mine to be careful of them.

“ I have been branded as being a *Roman Catholick*, which I altogether disown, and declare, as the words of a dying man, who am instantly to make my appearance before the *Great Tribunal of the Great God*, that I die in the *true Catholick reformed Protestant religion*, renouncing all righteousness of my own or any others, relying only upon the merits of CHRIST JESUS, through whose blood I hope to be saved, and whom I trust will not only be my Judge but also Advocate with the Father for my redemption.

“ Now, Dear spectators, as my last request, *again and again*, I earnestly desire and by the assistance of your fervent prayers, that although I stand here condemned by man, I may be absolved before the *tribunal of the great God*, that in place of this scaffold, I may enjoy a throne of glory ; that this violent death may bring me to a life of glorious rest, eternal in the heavens ; and that in place of all these spectators, I may be accompanied with an innumerable company of saints and angels, singing *Hallelujah* of the great King to all eternity.

“ Now, O Lord, remember me with that love thou bearest to thy own, and visit me with thy salvation, that I may see the good

of thy chosen ones, and may glory in thine inheritance. Lord Jesus, purge me from all my sins, and from this of blood-guiltiness, wash me in thy own blood. Great are my iniquities, but greater are the mercies of God ! O let me be amongst the number of those for whom Christ died ; be thou my advocat with the Father. Into thy hands do I commend my spirit ; come Lord Jesus, come and receive my soul. Amen.

“SIC SUBSCRIBITUR. SIR GODFREY M‘CULLOCH.”

A strange story of Galloway superstition is related by Sir Walter Scott in his essay on the “Fairy Mythology” in the *Border Minstrelsy*, bearing that Sir Godfrey was not executed, but carried off, at the last moment, to Fairyland !

As this Gallovidian gentleman was taking the air on horseback, near his own house, he was suddenly accosted by a little old man, arrayed in green, and mounted upon a white palfrey. After mutual salutation, the old man gave Sir Godfrey to understand, that he resided under his habitation, and that he had great reason to complain of the direction of a drain, or common sewer, which emptied itself into his chamber of dais. Sir Godfrey Macculloch was a good deal startled at this extraordinary complaint ; but guessing the nature of the being he had to deal with, he assured the old man, with great courtesy, that the direction of the drain should be altered ; and caused it to be done accordingly. Many years afterwards, Sir Godfrey had the misfortune to kill, in a fray, a gentleman of the neighbourhood. He was apprehended, tried, and condemned. The scaffold, upon which his head was to be struck off, was erected upon the Castlehill of Edinburgh ; but hardly had he reached the fatal spot, when the old man, upon his white palfrey, pressed through the crowd, with the rapidity of lightning. Sir Godfrey, at his command, sprang on behind him ; the “good neighbour” spurred his horse down the steep bank, and neither he nor the criminal were ever again seen.

Perhaps the respite of three weeks may have had something to do with the origination of this absurd story.

Although Sir Godfrey, in his Last Speech, spoke of his wife, he had never been married ; “but he left behind him several illegitimate children, who, with their mother, removed to Ireland on the death of their father. One of his grand-children suffered capital punishment in that country for robbery, about the year 1760.*

* *The Scottish Nation*, vol. ii., p. 712 ; M’Kerlie’s *Galloway*, pp. 219-222 ; *New Statistical Account of Wigtonshire*, pp. 225-227 ; and of the *Stewartry of Kirkcudbright*, pp. 376-377 ; *The History of Galloway: Kirkcudbright*, 1841, vol. ii., p. 329, *Appendix*, p. 52 ; Chambers’s *Domestic Annals of Scotland*, vol. ii., p. 321 ; vol. iii., p. 174 ; Maclaurin’s *Criminal Cases*, p. 15 ; Scott’s *Minstrelsy of the Scottish Border*, vol. ii., p. 316 ; Murray’s *Life of Samuel Rutherford*, p. 358.

II.—The Mystery of Queen Anne's Jewels.

Jewels . . .

Stol'n by my daughter ! Justice ! find the girl !

—*The Merchant of Venice.*

ANNE of Denmark, consort of our King James VI., soon evinced an inordinate passion for costly jewellery, articles of which she frequently lavished on her favourites: and this extravagance now and again involved her in debts which her meagrely-filled purse was unable to discharge.

When Her Majesty came to Holyrood, the principal goldsmith and jeweller in Edinburgh was George Heriot, father of the more famous George who founded the Hospital. Young Heriot began business on his own account, in his native city, as goldsmith and jeweller, about 1586, after taking to himself a wife. He set up house in the Fishmarket Close, south side of the High Street, amid "very ancient and fish-like smells," and had his shop, booth, or *kraim* near bye, at the "Lady's Steps," at the north-east end of St. Giles' Church, but subsequently flitted to its west end. From a small beginning his business grew extensive and lucrative.

King James dealt with him for jewellery and loans of money ; and Queen Anne was not long in bettering her consort's example. "Jingling Geordie," as the King familiarly nicknamed him, was appointed, on 17th July, 1597, as the Queen's Goldsmith, and proclaimed as such by the Heralds with their trumpets at the Cross of Edinburgh. It is told by Heriot's biographer, Dr. Steven, that "when Her Majesty was desirous of procuring an advance of money, or some new trinkets, whether for personal use or for gifts, it was no unusual thing to pledge with" her official goldsmith "the most precious of her jewels"; and a letter from the King, dated at Falkland, 13th June, 1599, orders payment to George Heriot of a sum for which "the Queen's jewels were engaged." James himself, on 4th April, 1601, appointed "Jingling Geordie" as his Jeweller ; and a chamber in Holyrood Palace was allotted to him where he could deal conveniently and quietly with his royal patrons. "It has been computed," says Dr. Steven, "that during the ten years which immediately preceded the accession of King James to the throne of Great Britain, Heriot's bills for the Queen's jewels alone could not amount to less than £50,000 sterling."

On the English succession falling to King James, the royal jeweller soon followed the southward track of so many of his impecunious countrymen, who hoped to mend their broken fortunes in the "land of promise." He established himself in a prominent locality of London, "dwelling foreanent the new Exchange." His transactions with the Queen continued. On one occasion she authorised him to pawn certain jewels of which she had "lost conceit," to meet the sum of £1000, being the value of several pendant diamonds, ambergrease, civet

and musk which she had received from him. Eventually Her Majesty became drowned in debt—her jointure being but as a drop in the bucket. Heriot was her chief creditor. The weight of her liabilities pressed so heavily upon Anne's mind that about the winter of 1609 she lost her natural vivacity of spirits and sunk into a deep melancholy. To liquidate her debts a sum of £20,000 sterling had to be drawn out of the public treasury, and also £3000 pounds a year added to her jointure. She has been described as "an intriguing and artful princess, who had but little regard for the honour and dignity of her husband or the welfare of his subjects."

We now come to a strange affair connected with the Queen's jewels.

Two of the royal servants who appear to have accompanied the Court from Scotland, and held their places for several years afterwards in London, were John Buchanan, designated "Serjeant of His Majesty's Butlery," and his wife, Margaret Hartsyde, a favourite waiting-woman to the Queen, of whose jewels she was entrusted with the charge. This pair, having profited by their service at Court, came down to Scotland sometime in the year 1607, whether to stay, or only to enjoy what would now be called "a holiday tour," is not clear. But, at any rate, they assumed a grand style, driving about in grand style in a carriage drawn by white horses, and negotiating for the purchase of land. Suddenly, like a bolt from the blue, a prosecution before the Scottish Court of Justiciary was instituted against Margaret, upon the charge that she had abstracted pearls and jewels belonging to her royal mistress; and being arrested, she was imprisoned in the Castle of Blackness.

The story of this case is peculiarly curious, as being

an instance of what sort of justice was frequently administered in Scotland, when the royal hand interposed to sway the scales. Margaret was judicially examined on 5th October and 3rd November, 1607, and upon her alleged confession a Dittay or Libel was framed, and she and her husband, "for his interest" only as such—no share in the crime libelled being imputed to him, though he was likewise cast into prison—were indicted for trial in the Tolbooth of Linlithgow on 7th May, 1608. On the preceding 25th April, Margaret and her husband petitioned the Privy Council that Counsel might be assigned to them for their defence; and accordingly four advocates were nominated to that duty, and three friends were also allowed to visit and assist the panels. The Court was adjourned till Tuesday, 31st May, when it was held in Linlithgow Tolbooth. The judge was Mr. William Hairt of Preston, *Justiciarum Deputatum*—Justice Depute—who had four assessors, Lords Balmerino, Abercorn, and Linlithgow, and Sir Peter Young, His Majesty's Elimosinar or Almoner.

Margaret was placed at the bar. Amongst the "Prelocutors" who appeared for her in defence, were Mr. Robert Buchanan, minister at the kirk of Ceres, and Mr. William Buchanan, minister of Methven—presumably relatives, perhaps brothers, of her husband. The Indictment charged her with having, during the time of her service in the Royal Household from 1603 to 1607, stolen and detained from the Queen "ane pearl of the value and price of £110 sterling, pertaining to her Majesty, together with divers other pearls, precious stones, jewels and goldsmith work, likewise pertaining to his Majesty's dearest spouse, worth the sum of £300 sterling": and it was also alleged that the panel had

confessed abstracting from the Queen "ane great pearl," which she sold for £110 sterling, after she "had presented the same, hung at ane diamond, to be sold, to her Majesty's self." This was the pearl first libelled. There now, we have the gravamen of the accusation, which, it has been said, had been trumped up to punish her for disclosing certain Court intrigues. "The courtiers talked," says Sir James Balfour in his *Annals of Scotland*, "that it was for revealing some of the Queen's secrets to the King, which a wise chambermaid would not have done." Whatever it was for, the King was angrily bent upon it.

Margaret produced a "Letter" on her own part, in the following terms :—

I, Margaret Hartsyde, acknowledging my long captivity, and that I have been separated from my husband, divers times examined and demanded upon sundry weighty matters and articles, to the which I was forced to answer, not being well resolved, but by the contrary, being heavily troubled by apprehension (imprisonment) of my husband, myself, warding of our persons, and seizing upon our haill goods; my Depositions not perfectly known to me, and I being a woman, *juris ignara* (ignorant of law), not having so good memory as is requisite in such a weighty cause; I desire that now, being a free person, exhibit in judgment (presented in Court), my Declaration and Deposition may be produced, to the effect that I may reduce myself to a perfect memory: and if my Declaration be set down according to the truth, I am content to abide thereat; otherwise, in case there be anything omitted or erroneously declared, that I may be heard to correct my error and add thereto whatsoever is omitted: And in case of non-production of my said Declaration and Depositions, to the effect foresaid, I, by this presents, revoke whatsoever Deposition made by me, concerning the Libel and Dittay therein contained, and haill contents thereof: And protest, in case the said Deposition be produced, at any time hereafter, in this Judgment, that the same be openly read in my presence, to the effect foresaid.

The case was continued till next next day, at eight o'clock in the morning, at which diet it was resumed. The Lord Advocate declared that he insisted not against John Buchanan, but only as the panel's husband, for his interest. The Counsel for the defence proponed learned and lengthened objections to the relevancy of the libel, but the Court found it relevant, and the Deposition was produced. The debate was then renewed. The panel's Counsel contended that "this dittay cannot be put to an assize, because of the law, ane servant of credit having the custody of his Majesty's gudes, being willing to render an account of his intromissions, never having committed any violent deed, cannot be accused of theft, the intromission, fra the beginning, being lawful: but true it is that Margaret Hartsyde, as is confessed in the libel, both the years libelled, and divers years of before, was, like as she is presently, her Majesty's servant undischarged, with credit, and willing to give account of her intromissions, never having committed ony violent deed": farther, the first-mentioned pearl was sold by her "to George Heriot, her Majesty's principal Jeweller, and if there had been an intention of theft in the panel's mind, it cannot be presumed that she would have sold the same to the Jeweller, whom she knew would shew the same again to her Majesty, but by the space of divers years thereafter remained in her Majesty's service in great favour and credit."

No proof was adduced except the woman's own deposition, in which she swore, with her "great oath," that "at her first coming from Court to Scotland, she had delivered to her Majesty all the jewels of which she had the charge," but that she had sold "the great pearl" which was affixed to a diamond as a pendant. The

issue of the trial was that the assize or jury found "the said Margaret Hartsyde to be fyled, culpable, and convict of the unlawful and undutiful substracting and detaining" from the Queen, the pearl valued at £150 sterling, and the other pearls, etc. ; but, by a majority, found the panel "to be clogged of the stealing of the said pearl, together with the remanent pearls, precious stones, jewels, and goldsmith work foresaid." Before sentence being given, the case was submitted to the King for his decision, to whom also the panel's lawyers sent a statement of their pleas.

Two answers came from the King, both dated at Theobalds, 20th July. The first, addressed to the Justice General, etc., set forth "that howsoever the assize acquit her [the panel] of the crime of theft, yet we most conclude that she has dealt so dishonestly herein as we account her as worthy to be repute and declared infamous (like as it is our pleasure that ye declare her to be so), as if she had been directly convict of theft: that she shall repay the full value of the pearl, etc., and remain in the Castle of Blackness until she give security for the payment": and that finally she should be banished to the Orkney Islands, "there to remain, and not exceed the bounds thereof, during her lifetime." The other letter, addressed to the Privy Council, was couched in very indignant terms, calling the panel's lawyers "those pettifoggers," and commanding that "except they give a better answer than we think they can give, you commit them to ward." The Council, however, showed better sense by cautiously allowing that matter to drop.

The Court sat again at Linlithgow, on Tuesday, 30th August, and, in accordance with the royal instructions,

declared Margaret Hartsyde infamous ; decerned her to pay the sum of £400 sterling, or £4800 Scots, as the liquidate value of the whole of the jewels libelled ; and sentenced her to be confined in the Isles of Orkney for life. John Dalzell, burgess of Edinburgh, became her caution and surety for payment of the money within fifteen days, and also that she should banish herself in Orkney within forty days.

In pursuance of her sentence, and within the allotted space of time, Margaret repaired to Orkney, accompanied by her husband, who seemingly was compelled to share her exile. But he soon petitioned the Privy Council “to be relieved of his ward,” as he had “committed no offence ;” whereupon they, in December 1608, craved the King’s “special discretion and warrant” concerning him. His Majesty returned an answer, dated Whitehall, 27th April, 1609, stating that “other more weighty business” had caused his delay ; that he considered there arose so many presumptions of John Buchanan’s complicity in his wife’s guilt in regard of the gain acquired by the “filching and embezzling of the said jewels,” that there seemed small reason to hasten his relief, “he being in a manner of freedom already, remaining with his wife, and not constrained within the compass of any small circuit, having the whole island of Orkney comprehended within his confining.” But the King “being now importuned by the petitions and suits of one John Dalzell,” the cautioner at the trial, who complained that unless John Buchanan was set free to come to Edinburgh before next Whitsunday and take order with his affairs so as to reimburse the petitioner in the £400 sterling as the value of the jewels, the latter would be utterly ruined—the Council were directed to

make inquiry whether that sum was the only debt which threatened Dalzell with ruin, and if they found so, that they should enlarge Buchanan, but under the prohibition of his going beyond three miles southward of Edinburgh. We may suppose that the enlargement as to Buchanan's coming to Edinburgh was granted. The King, on 11th April, 1611, wrote to the Council that "with the special consent and goodwill of the Queen," he directed them to give Buchanan liberty at his pleasure to remain in any part of our kingdom there benorth Forth:" and this was accordingly done by warrant of the Council on 18th April.

Seven years more passed over Margaret Hartsyde's head in her Orcadian banishment; and her husband is next heard of in 1618, when, on 26th March, a Royal Warrant was issued releasing him from all restraint within Scotland. Justice, though tardy, was about to make the unhappy couple full amends. Queen Anne, after a protracted illness, died of dropsy, at Hampton Court, on Tuesday, 22nd March, 1619, in the forty-sixth year of her age; and her death seems to have changed the fortunes of the Buchanans. On the 22nd of the same month, a Royal License was sent out restoring Margaret and her husband to their former liberty, and allowing them to repair at their pleasure to any part of the King's dominions.

As this stage Dr. Masson, the able and acute Editor of the *Privy Council Register*, makes the following suggestive observation:—"As there was always some mystery about the affair of the stealing of the jewels, we wonder whether Queen Anne, in her long illness before her death, may not have had some compunctions of conscience about the treatment of her two old servants in

connection with that business, and whether the late Act in favour of the husband, and this in favour of both husband and wife, may not been occasioned so." But we may further suggest that if there was truth in the rumour that Margaret Hartsyde whispered in the King's ear some of the Queen's secrets, Her Majesty, on discovering the infidelity, may have vented her spleen on the imprudent waiting-woman by accusing her of theft ; and a death-bed may have brought compunction and confession. Moreover, is there anything *outré* in the supposition that the Queen, whose frequent pledging and pawning for needful cash and for new trinkets we have already seen, may have employed Margaret to pawn or sell the very pearls and jewels said to be abstracted ; and that Margaret forbore to disclose this in her own defence, for fear of intensifying the Queen's anger against her ? The story told by the King's Advocate at the trial does not look very feasible—"that the panel, to make Her Majesty *to misken her own great pearl* caused hang the same to a diamond, and offered to sell the same to Her Majesty as a jewel not pertaining to herself !"

The King was neither niggard nor slack in making ample reparation to the Buchanans, who now regained the royal favour. His Majesty issued a missive from Royston, dated 15th November, 1619, addressed to the Justice-General of Scotland, stating that "whereas our trusty and loyal servitrix, Margaret Hartsyde, the spouse of Sir John Buchanan, knight, was, by the sinisterous information of certain her unfriends for the time, pursued criminally before you ; and being put to an assize, was acquit and assoilzied of that special point of her indictment, which of the law sustained the same to be relevant to be tried and cognosced, and only was

found guilty of certain adminicles insert in her dittay for qualification of her alleged crime :” and that the “doom and sentence being maist humbly, and with great patience and modesty, embraced and underlien by her, and her behaviour continually sinsyne being very dutiful ; therefore, and that the foresaid doom given out against her may not be a precedent, nor have force hereafter, it is our gracious will and pleasure that the foresaid declaration of the said Margaret Hartsyde to be *infamous*, insert in her process, be halden as delete furth thereof, and in noways to be extracted or given to any person or persons, in time coming, but that this our Warrant and Declaration be insert in our Registers of Adjournal, for reponing of her to her fame against the same sentence.” Sir James Balfour did not fail to mention this act of grace in his *Annales*.

Nor did the royal favour stop there. More was done to atone for former injustice and oppression. The honour of knighthood was conferred on John Buchanan, and soon afterwards he was promoted to an important appointment under the Scottish Government. In 1620, an attempt was made to remedy the disorders and abuses which had long prevailed in Orkney and Shetland through the tyranny of the late Patrick, Earl of Orkney ; and a Commission was nominated to inquire into the state of affairs in the islands and to report to the Scottish Privy Council. The Commissioners were George Graham, Bishop of Orkney ; Sir John Buchanan, Knight ; and William Bruce of Symbister. They seem to have fulfilled their duties satisfactorily. In 1622, Sir John Buchanan was granted a Tack and Assedation of the King's rents, duties, and grassum of Orkney and Shetland for five years, from the term of Whitsunday,

for the tack-duty of 45,000 merks annually. He was proclaimed as Sheriff and Justice in the islands ; and all the King's castles and houses there were ordered to be surrendered to him, namely—the place, fortalice, and palace of Birsay, and the house called the Newhouse, both in Orkney ; and the castle, tower, and fortalice of Skellowa, and the house of Swyneburgh at the Ness, both in Shetland. He also obtained a Tack of “the custom and bulyeon” of the islands. The Privy Council ordered him, as chamberlain of the islands, to pay yearly the stipends of some poor Orkney ministers, amounting to £1600, so as to save them the trouble and expense of coming south for payment of the same.

It was said of the Buchanans, after they came down from London, that they were intending to purchase some landed property. They ultimately accomplished their desire by becoming laird and lady of a small estate in Fife, bordering on the south-east side of the Firth of Tay. On the 25th July, 1632, King James ratified a charter by Archbishop Spottiswoode of St. Andrews, with consent of the chapter thereof, etc., dated at Dairsie, 15th May, same year, of the lands and town of Scotsraig, and others, in the regality of St. Andrews and sherifffdom of Fife, to Sir John Buchanan, Knight, and Margaret Hartsyde, his spouse, *in vitali redditu* (in liferent), and Margaret Buchanan, their eldest lawful daughter, and the lawful heirs of her body, whom failing, Katharine Buchanan, their second lawful daughter, and the lawful heirs of her body, whom failing, the said Sir John's heirs and assignees whomsoever.* This

* It is probable that Sir John and Mr. William Buchanan, minister of Methven, who supported him and his wife at the trial, in 1608, were near relations, if not brothers. The minister, who

estate is said to have taken its name from the Scotts of Balwearie.

Sir John is territorially designated "of Scotsraig" in a Commission to him as Sheriff of Orkney, and five co-adjutors, as Justices, issued by the Privy Council at Edinburgh on 20th February, 1623, to apprehend and try five men, accused of piracy and murder, who had their place of reset in the isle of Sanday, where they kept their plundered goods. Again, on 6th March following, the Council commissioned Sir John to apprehend several fugitives at the horn for attacking the house of Faichfield, who had fled to Orkney.

In 1624, Sir John and Bishop Graham of Orkney were appointed judges to try an important case against a certain Ninian Niven, Notary Public in Shetland, for alleged oppression of the King's subjects there. It was brought at the instance of Niven's uncle, James Mowat of Ur. The Court, with Assessors, sat down in the Castle of Scalloway, on 2nd September, and continued for several days, closing on the 10th. Niven defended himself with vigour, stating recriminatory charges against his uncle. The whole record, with the depositions of the witnesses on both sides, was sent to the Privy Council in Edinburgh, that judgment might be pronounced, which, however, was never done, and Ninian was allowed to return home. *

died in 1614, left (by his wife, Marion Lyell) an only daughter, Katharine, who, in 1620, was married to Henry Adamson, author of *The Muses Threnodie*, a metrical history of Perth, published at Edinburgh in 1638, which won the approbation of Drummond of Hawthornden. *Katharine* may have been the name of the mother of Sir John and Mr. William.

* Lengthened details of this involved case are given in the *Register of the Council*, vol. xiv., pp. ciii.—cxxii, 717—776.

King James now conceived the idea that the Tack of Orkney and Shetland should be surrendered—for what end did not yet appear; but measures were taken to carry out his wish. At Edinburgh, on 14th May, 1623, Dame Margaret Hartsyde, spouse to Sir John Buchanan, compeared before the Lords Commissioners of his Majesty's rule, "and she being desired to deal with her husband to make a surrender in his Majesty's hands of the Tack of Orkney and Shetland, she refused to meddle in that matter, whereupon she was desired to write to her husband to be here upon Wednesday next"—this only allowing seven days' time, so that Sir John could not then have been in his Sherifffdom.

Although there is no record, it is likely that Sir John was not adverse to the surrender proposal, seeing that it came from the King. By and bye the Privy Council received a royal letter, dated 3rd December, same year, desiring their advice as to whether they thought a higher annual sum might be obtained out of the Orcadian rents than that obtained from Sir John, which was 45,000 merks—the increase to be such as the occupiers of the ground would be "able to pay and live as is fitting for the tenants of our crown"; but if no increase was practicable, would the Council deem it expedient to set the lands in feu for the present rents? The Council, on 20th January, 1624, wrote the King to the effect that, owing to bad seasons, and the tenants being "for the most part very poor people," whose living was "specially in taking and feeding on fish," a rise of rents was not to be thought of; but to feu the lands at the current rents was advisable.

After all this beating about the bush, the King's main project was communicated to the Privy Council, in a

letter dated 22nd August, 1624. It stated that although Buchanan's tacks had several years yet to run, His Majesty had feued the duties of Orkney and Shetland, with the Stewartry thereof, to Sir George Hay of Kinfrauns, Lord High Chancellor of Scotland (afterwards the first Earl of Kinnoull) for the yearly payment of 40.000 merks, which was less than the present rent, "yet for the good and faithful service done to us by him, and to encourage him to go forward therein, we are well pleased to grant him that small benefit by defeasing these 5000 merks yearly." On 11th October following, the King again wrote to the Council directing that the revenues of the islands should be kept in His Majesty's coffers, and not meddled with in any way except by his own warrant.

Does it not look as if the British Solomon, in the profundity of his wisdom, had repented of the Tacks to Buchanan not long after they were granted? At Edinburgh, on 30th March, 1625, the Privy Council accepted the transference by Sir John Buchanan and his wife of the two Orcadian Tacks to Sir George Hay, the Chancellor. In consideration of this, the Council freed and relieved Sir John of the rent payable at Whitsunday ensuing, under the Tack of the duties; and of the duty under the Tacks of the "custom and bulyeon," payable for the last year thereof, but holding him liable in payment of the duty at Whitsunday and Martinmas next to come.*

* Dr. Steven's *Memoir of George Heriot*; Pitcairn's *Criminal Trials*, vol. ii., pp. 544—557; Balfour's *Annals of Scotland*, vol. ii., pp. 26, 76; *Register of the Privy Council of Scotland*, vol. viii., ix., xi., xii., xiii.; *Register of the Great Seal of Scotland*: 1620—1633, No. 337; Chambers's *Domestic Annals*, vol. i., p. 412.

III.—The Tournament of Haddington.

The Tournament of Tottenham have we in mind ;
It were harm such hardiness were holden behind,
In story as we read
Of them that were doughty
And stalwart in deed.

—Percy's "*Reliques*."

Kill men i' the dark? Where be these bloody thieves?

—*Othello*.

THE great Earldom of Athol was originally erected, nearly eight centuries ago, for a branch of the royal house of Scotland ; and, indeed, as has been observed by Mr. Skene, there is "strong presumption that the family which gave a long line of kings to Scotland, from the eleventh to the fourteenth century, took their origin from this district, to which they can be traced before the marriage of their ancestor with the daughter of Malcolm the Second raised them to the throne." According to history, it was King Edgar, who reigned from 1098 to 1107, that created this earldom (comprehending the country of Athol, with the exception of Breadalbane), and bestowed it upon his cousin, Madach, son of Donald Bane (the brother of Malcolm Canmore), who twice

usurped the Scottish crown. On Earl Madach's death, which happened about 1150, and his son, Harald, Earl of Orkney, having been forfeited, the lands and honours of Athol went to Malcolm, son of Duncan, the eldest son of Malcolm Canmore, but which line, though lawfully entitled to the throne, was excluded from it in favour of the younger branches ; and the Athol earldom was thus transferred, remarks Mr. Skene, "either because the exclusion of that family from the throne could not deprive them of the original property of the family, to which they were entitled to succeed, or as a compensation for the loss of the crown." Malcolm was succeeded by his son of the same name, who was a liberal-handed benefactor to the Church, as testified by his grants to the Abbeys of Scone and Dunfermline and the Priory of St. Andrews. He left a son, Henry, who succeeded, and whose son died in his father's lifetime, leaving three daughters—the eldest of whom (whose name is unknown) married Alan de Lundin, *Ostiarus Reges* ; the second, Isabel, became the wife of Thomas de Gallovidia, brother of Alan, Lord of Galloway ; and the youngest, Ferneleith, married David de Hastings, a Norman knight, the descendant of the Conqueror's steward. When Henry deceased, Alan de Lundin obtained the Athol earldom in right of his wife ; and she, dying without issue, the next Earl was Thomas, the husband of Isabel. Earl Thomas died in 1231, leaving a son, Patrick, who succeeded his father as the seventh Earl of Athol.

It is with the untimely fate of this Earl Patrick that we shall now concern our attention, as his death involved the sudden ruin of another powerful house, and the outbreak of war between Scotland and England.

Contemporary with the later Earls of Athol was that other powerful house, which possessed lands in the north and south of Scotland. This family was Anglo-Norman : its surname was Byset or Bisset ; and it is said to have become established in Scotland about the time of William the Lion, obtaining broad lands in Moray and in the shire of Berwick. The main stem of the Bysets was settled in Moray, on domains which in great part were those which ultimately became the country of the Lovat Frasers ; while it was a branch that took root on the southern confines of the Scottish kingdom. The Norman Conquest of England had caused a host of Saxon fugitives to seek refuge in Scotland, and these, in process of time, were followed by numbers of discontented Norman knights and adventurers. All such immigrants found ready welcome on the northern side of the Tweed. The Saxons spread over the Lowlands. The Normans, distinguished by polished manners and bold deeds, especially won the good graces of the Scottish sovereigns, who gave many of them lands to attach them to the country of their adoption. Most of the sons of the conquerors, says Thierry, the historian of the Conquest, "were good and tried soldiers ; and the Scottish kings took them into their service, rejoiced at having Norman knights to oppose in the field to the Normans of the other side of the Tweed. They admitted these bold warriors to their intimacy, intrusted them with high commands, and, to make their Court more agreeable to these new guests, even studied to introduce into the Teutonic language there spoken, a great many Norman words and idioms." But our story relates to the year 1242, when Alexander II. bore rule over Scotland.

The head of the northern branch of the Bysets was Sir John, "lord of Lovat and Beaufort, in the Aird-of Altyre in Moray, of Redcastle and Ardmanoch in the Black Isle." The Bysets had given bountifully of their wealth to pious and charitable uses. The foundation of the Priory of the Order of *Vallis Caulium* at Beaulieu or Beaully, dating from about 1230, was chiefly due to their munificence. One of their Norman ancestors, Munaser Byset, Sewer to King Henry II. of England, marking how prevalent was that loathsome disease the leprosy (which apparently had been introduced into Britain through the intercourse with the East consequent on the Crusades, and was fostered by the ways of living of the people), established an Hospital or House of Refuge for Lepers at Maiden Bradley in Wiltshire—his wife, Alice, an heiress, being said to have been herself a leper. "In this country," says Sir James Y. Simpson, "the leprosy of the Middle Ages seems to have had its largest share of victims in the lower classes of society—amongst the 'villagers' or bondsmen of the times, and the poorer peasantry and burgesses, who, when shut up in the hospital, were obliged either to depend upon the funds of these institutions, or to beg for their support:" which hospitals "were intended merely as receptacles to seclude the infected, not as houses in which a cure of them was to be attempted."

John Byset of Lovat, following the example of his ancestor, made a grant, about 1224, to the House of Lepers at Rothfan, Rathven, or Ruthven, near Elgin. By his charter he granted the patronage of the church of Kyltargyn, or Kiltarlity, to the church of St. Peter of Ruthven, for the maintenance of the lepers serving God there; and besides he had given to the House so much

of his means that the members had promised, and by a solemn instrument obliged themselves, to keep a chaplain there, ministering in sacred things, and seven lepers, and one male domestic serving them ; while it was also provided that when any of the lepers died, or left the House, another should be presented by Byset or his heirs, until the number was complete. The first charter granting Kiltarlity church being found insufficient, another was granted by the donor, on 19th June, 1226, appropriating said church to the Leper House. In the same year, he gave William, Prior of the Hospital, a presentation to the church.

There was now every prospect that the male line of the house of Lovat would eventually fail ; for Sir John de Byset had three daughters, Mary, Cecilia, and Elizabeth, but no son : and it was evident that his death would cause a division of his possessions among the three co-heiresses. In the south, his kinsman, Sir William de Byset, was the head of the Berwickshire branch, and high in favour at the Scottish Court, holding an office in the household of King Alexander's second queen, Mary of Couci. Both Sir William and his nephew, Sir Walter, however, were known to bear a grudge against Earl Patrick of Athol, and this was afterwards remembered to their ruin.

The age of chivalry was then in its prime. The feudal system had been introduced into England by the Norman Conquest, and subsequently found its way across the Scottish Border, and was engrafted on the national institutions. Feudalism and the knightly order mutually supported each other. The principles of chivalry, which consisted mainly in the upholding of truth and honour, the defence of the right, the protection

of the defenceless, commended themselves to every heart, though they did not prevent the ruthless tyranny and spoliation practised by the Conqueror's myrmidons on the Saxon people of England. The crusading spirit still animated Europe, and the war in Palestine continued to rage with varying results. Only in 1240 had the Earl of Cornwall and William Longsword led an English army to the East. Knightly adventure, especially in the struggle with the Saracens, supplied the themes of the lays which were sung by minstrels in baronial halls. The aspiring youth of the time were fired by the ambition of winning the belt and gilded spurs, which were the insignia of knighthood. The public displays and pastimes of chivalry were peculiarly romantic and attractive. Foremost was the *Tournament*, where gallant champions contested the palm of valour under the eyes of the ladies. Sometimes these combats were fought at *outrance* (as it was termed) with sharp lances and swords, though the number of blows and thrusts to be given were limited by regulations: on other occasions the mimic war was conducted with blunted weapons: yet frequently, in either case, the sports closed with several of the warriors being left dead in the lists—covered with wounds, trampled to death, or smothered in their heavy armour: and such displays of chivalric skill and bravery, not inaptly recalling the arena and the gladiators of Rome, were graced by the presence of beauty, whose applause was the highest guerdon of the contending knights.

In the year 1242, a grand tournament—called in olden Chronicle “a Royal Tournament, where knights and esquires advanced themselves by valiant prowess to win honour”—was held at the town of Haddington.

King Alexander, said by Buchanan to have been on his way to England to visit Henry III., was present at the sports ; but his consort, Queen Mary, was then on a progress in the north. Knights from all parts of Scotland flocked to Haddington, and amongst others came Earl Patrick of Athol and the southern Bysets, uncle and nephew. Athol was in the flower of youth, trained in all the manly and chivalric accomplishments of the day, famed for courage and gallantry, and eager to distinguish himself in the lists. The tournament opened with all the stately formalities : the heralds made their proclamations : the challenges were given and answered : courses were run by knights singly and in squadrons against each other—such conflicts as have been depicted in *Ivanhoe*, and long before that in Chaucer's page, which "glorious John" Dryden has paraphrased in vigorous and picturesque measure :—

At this, the challenger with fierce defy
His trumpet sounds ; the challenged makes reply ;
With clangour rings the field, resounds the vaulted sky.
Their visors closed, their lances in the rest,
Or at the helmet pointed, or the crest,
They vanish from the barrier, speed the race,
And spurring see decrease the middle space.
A cloud of smoke envelopes either host,
And all at once the combatants are lost ;
Darkling they join adverse, and shock unseen,
Coursers with coursers jostling, men with men :
As labouring in eclipse, a while they stay,
Till the next blast of wind restores the day.
They look anew : the beauteous form of fight
Is changed, and war appears a grisly sight.
Two troops in fair array one moment show'd,
The next, a field with fallen bodies strew'd :
Not half the number in their seats are found ;
But men and steeds lie grovelling on the ground.

The points of spears are stuck within the shield,
The steeds without their riders scour the field.
The knights, unhorsed, on foot renew the fight.

In the midst of the warlike sports, Earl Patrick of Athol and Sir Walter de Byset engaged to run a course together. Both were approved knights, young in arms, and emulous of renown. The signal being given they rushed to the encounter, with levelled lances, and plumes streaming on the wind. They met in the centre of the lists, and Byset was hurled from his saddle and flung prostrate on the plain. The catastrophe struck deep into his heart. He was the enemy of Athol, and the resounding acclaim which hailed the victor filled the vanquished's soul with the bitterest thoughts; but he dissembled his feelings, and allowed Athol to enjoy his triumph. The tournament passed, and the gay and chivalrous assemblage dispersed: "nevertheless," adds the chronicler, "the end of all that pleasure and pastime ended in sorrow."

Sir William de Byset hastened northwards to attend on Queen Mary. Earl Patrick did not immediately return to his home among the hills of Athol. He had a lodging or "palace" (as it has been styled), situated at the west end of the High Street of Haddington: and there he abode in lordly state for some days longer. There was no suspicion that foul play was meditated to him; yet a plot of the most desperate character was hatching behind the scenes. One night, after he and his household had retired to rest, some villains secretly insinuated themselves into the mansion—crept to the Earl's couch, and stabbed him to death as he lay buried in profound slumber. So thoroughly was the work done that not a murmur was heard. As soon as the atrocious

deed was consummated, the assassins set fire to the house, trusting that by its destruction the murder of the Earl would be concealed—that is to say, that his death would be ascribed to the conflagration. Inflammable materials having been plentifully scattered about the Earl's chamber, the flames soon enveloped the “palace,” and startled all Haddington at midnight. The fiery element could not be subdued; and when it had wrought its will, and the “palace” stood a roofless, blackened ruin, the body of the Earl was searched out, but it was found not so much disfigured but that the dagger-wounds by which he had perished were clearly discernible!

That a dastardly murder had been perpetrated was thus shown beyond doubt. The whole country rang with a fierce cry for vengeance. Athol's friends and allies—the Earl of March, Sir David de Hastings, and others of noble rank—denounced the Bysets as the authors of the crime; for it was asserted that certain of their retainers had been seen prowling in the vicinity of the “palace” at Haddington shortly before the breaking out of the fire. Although it was Walter who had been overthrown at the tournament, yet his uncle was signalled out as the prime instigator of the deed. This charge was indignantly repelled by Sir William, who appealed to the King and Queen to do him justice. Had he not been with the Queen at Forfar on the very night of the murder? Both King and Queen declared for his innocence—Mary even offered to confirm her royal word by a solemn oath. Sir William procured that the sentence of excommunication against the assassins should be read in every church and chapel throughout Scotland. But his accusers, wholly un-

satisfied, and powerful in their numbers, demanded that he should be brought to trial. This demand he met by proclaiming his readiness to meet any of them in single combat,—choosing the ordeal of wager of battle, because, as he said, he could not look for justice in a court of law which would be overborne by his enemies. No one accepted his challenge. His trial was forced upon the King, who was equally compelled to preside at the tribunal. Accordingly the Bysets, uncle and nephew, were arraigned and pronounced guilty : sentence of forfeiture and perpetual banishment from Scotland was recorded against them ; and furthermore, they were constrained to swear that they would go to the Holy Land and never return, but there, to the end of their days, pray for the soul of the murdered Earl.

Guilty or not in their own consciences, the Bysets left all behind them, and fled to Ireland—not with any intention of taking the route to Palestine by way of the Green Isle, that they might spend a life of prayer and penance amid the scenes of Holy Writ, but with schemes of vengeance fermenting in their minds. Soon were their schemes developed. Walter crossed to England and appeared at the court of Henry III., into whose ear he poured the story of his wrongs, appealing to him against the sentence of Alexander, who, as the alleged vassal of the English monarch, “ had no right to inflict such punishments on his nobles without the permission of his liege lord.” Thus by artfully working on the old and baseless claim of English paramouncy over Scotland, he enlisted Henry’s favour, and he further stirred him by representing Alexander as in league with France, and as giving shelter in his kingdom to all the rebels

who fled out of England. By such incitements he inflamed Henry to the point of provoking hostilities with Scotland.

The King began his warlike designs by speedily despatching a letter to Alexander, complaining that he had violated his duty as a vassal-sovereign, and that he had allied himself with France against England, and was giving protection to "English offenders." Alexander replied that he owed no homage to England, and would yield none. Both nations, therefore, prepared for war. Henry summoned his forces. The patriotic spirit of the Scottish people was roused by the unwarrantable aggression on their independence, and a powerful army mustered around the standard of their King, who speedily marched to invade England.

Alexander's army is described by Matthew Paris, an English historian, as being "numerous and brave: he had a thousand horsemen," wearing armour of iron network, and "tolerably mounted, though not indeed on Spanish or Italian horses. His infantry approached to a hundred thousand, all unanimous, all animated by the exhortations of their clergy, and by confession, courageously to fight and resolutely to die in the just defence of their native land." The two armies advanced to a place called Ponteland, in Northumberland. The Scots prepared for battle by making confession to the priests who accompanied them. But Henry, seeing so strong and well-appointed an enemy, to whom he was superior only in cavalry, gave his warlike ardour pause. Many of his barons held the Scottish King in high respect, and, justly dreading the result of an engagement, counselled their sovereign to negotiate. He consented: and through the mediation of the Earl of Cornwall and the

Archbishop of York, as envoys, terms of peace were concluded with Alexander.

The treaty was signed at Newcastle, on the 13th August, 1244. Nothing was definitely settled about the claim of homage; but a stipulation was made for the union of the young prince of Scotland and Margaret, the daughter of Henry, which afterwards took place in 1251. And so the armies separated without striking a blow. The Bysets were disappointed in their hopes of humiliating King Alexander; but their patron, King Henry, did not turn his back upon them, although he failed in his expedition against Scotland. He gave Sir William extensive lands in the Irish county of Antrim, and there the family long flourished: and about the beginning of the fifteenth century, Marjory, the heiress of the Bysets, wedded the son of the Lord of the Isles, and became the ancestress of the Macdonalds, Earls of Antrim. Sir Walter, the vanquished at the Haddington Tournament, remembered in his latter days his oath which he had sworn to pass to the Holy Land. Perchance, when years were heavy on his head, the guilt of Athol's slaughter pressed still heavier on his soul. He donned the pilgrim habit and sailed for Palestine never to return.

The story of Earl Patrick and the Bysets (which we have endeavoured to relate as perspicuously as we could out of the various versions, which are all somewhat conflicting in certain of the particulars) cannot be concluded without a parting reference to the house of Lovat. When the assassination befel, suspicion could not fail to attach to the northern head of the Bysets; and Sir John was arrested and thrown into the castle of Inverness; but nothing being found to criminate him, he was

released. As already stated, he had three daughters, but no son. On his demise, his great possessions were divided amongst the co-heiresses. "From Mary," the eldest, says Professor Innes, "are descended the Frasers, of the Lovat branch of that name." Cecilia, the second sister, married Sir William Fenton, called of Beaufort: and Elizabeth, the youngest, married Sir Andrew de Bosco—a daughter of this union becoming the ancestress of the Roses of Kilravock. As Earl Patrick of Athol left no child, he was succeeded in his lands and heritages by Sir David de Hastings, in right of Fernelith, his lady.*

* Skene's *History of the Highlanders*, vol. ii., pp. 127, 139; Douglas' *Peerage of Scotland*; Anderson's *Scottish Nation*, vol. i.; Thierry's *History of the Norman Conquest*, book viii.; Innes' *Sketches of Early Scotch History*, p. 438; *The Charters of the Priory of Beaulieu* (Grampian Club); Hollinshed's *Scottish Chronicle*, vol. i., p. 395; Buchanan's *History of Scotland*, book vii., § 57; Tytler's *History of Scotland*, vol. i., p. 322; Robertson's *Earldom of Atholl*; Sir James Y. Simpson's *Archæological Essays*, vol. ii.

IV.—The Last Coronation in Scotland.

I.

I love the King and the Parliament,
But I love them both together :
And when they by division asunder are rent,
I know 'tis good for neither.
Whichsoe'er of those
Be victorious,
I'm sure for us no good 'twill be,
For our plagues will increase
Unless we have peace,
And the King and his realms agree.

—*Alex. Brome* (1645).

THE moral and religious condition of Scotland during the period intervening between the execution of Charles I. and the coming of Charles II. has been panegyrised in glowing language by an ecclesiastical historian of the time. As soon as intelligence of the King's death reached Scotland, deeply shocking the mind of the nation, the Covenanting Government proclaimed his eldest son.

This took place on 5th February, 1649: "providing always," says the Rev. James Kirkton, in his *Secret and True History of the Church of Scotland*, "that he was not to be admitted to the exercise of his government till he should give satisfaction for religion and peace; nor could they make war upon England for their King till he and they were at a point, which was not for two years after; but these two years, in my opinion, were the best that Scotland ever saw." And this author, warming on his theme, expatiates with fervour:—"In the interval betwixt the two kings, religion advanced the greatest step it had made for many years; now the ministry was notablie purified, the magistracy altered, and the people strangely refined. It is true, at this time hardly the fifth part of the Lords of Scotland were admitted to sit in Parliament, but those who did sitt were esteemed truly godly men; so were all the rest of the Commissioners in Parliament elected of the most pious of every corporation. Also, godly men were employed in all offices, both civil and military:" that is to say, in plain terms, the predominant faction packed Parliament and public offices with their own adherents. "Scotland hath been, even by emulous foreigners, called Philadelphia; and now she seemed to be in her flower." Furthermore, "the General Assembly seemed to be the priest with Urim and Thumim, and there were not ane 100 persons in all Scotland to oppose their conclusions; all submitted, all learned, all prayed, most part were really godly, or at least counterfitted themselves Jews. Then was Scotland a heap of wheat set about with lilies, uniform, or a palace of silver beautifully proportioned; and this seems to me to have been Scotland's high

noon." * A fascinating picture truly ! But it was not drawn in all its points with the pencil of truth : and it has been called "an enthusiastic fable," in so far as concerns the social life of the people ; for authentic records testify to a wide-spread ignorance, gross superstition, grosser profligacy, and an alarming prevalence of crime.

In 1643, the Presbytery of St. Andrews bemoaned the "woeful ignorance, rudeness, stubbornness, incapacity seen among the common people," which proceeded "from want of schools to landward, and not putting bairns to school where they are." † At the very time when Scotland was "in her flower," the Synod of Fife appointed a day of humiliation for the sins of the land, which were specified as "the many abominable sins, as contempt and mocking of piety, gross uncleanness, intemperance, breach of Sabbath, swearing, injustice, murmuring against God abounding while we are under the Lord's afflicting hand." ‡ To this clerical testimony may be added that of a layman of the same period, John Nicoll, who wrote thus, in his *Diary of Public Transactions and other Occurrences* : "Under heaven there was not greater falses [falsehood], oppression, division, hatred, pride, malice, and envy, nor was at this time, and divers and sundry years before (ever since the subscribing the Covenant) ; every man seeking himself and his own ends, even under a cloak of piety, which did cover much knavery : " and he excepted no class of the community ; "for all offended, from the prince to

* See also Peterkin's *Records of the Kirk of Scotland*, p. 626 ; and Dr. Cunningham's *Church History of Scotland*, vol. ii., p. 172.

† *New Statistical Account of Fifeshire*, p. 373.

‡ Burton's *History of Scotland*, vol. vii., p. 113.

the beggar." Again, worthy Mr. Kirkton's rose-coloured sketch looks odd when contrasted with what his brother-divine, the Rev. Robert Law, states, in his *Memorialls ; or, the Memorable Things that fell out Within this Island of Brittain from 1638 to 1684*,—namely, that from 1638 to 1652, the Scottish ministers generally did little else but "preach Parliaments, armies, leagues, resolutions, and remonstrances, . . . which occasioned a great number of hypocrites in the Church, who, out of hope of preferment, honour, riches, and worldly credit, took on the form of godliness, but wanted the power of it ;" and further, "it is not to be forgotten that, from the year 1652 to the year 1660, there was great good done by the preaching of the gospel in the West of Scotland, more than was observed to have been for twenty or thirty years before, . . . which was occasioned through ministers preaching nothing all that time but the gospel." Moreover, Mr. Kirkton's sketch is strangely at variance with the "Solemn Acknowledgment of Publick Sins" put forth, in 1648, by the General Assembly itself (and appended to the *Confession of Faith*),—wherein it is said to be "impossible to reckon up all the abominations that are in the land,"—many of which, however, are specified. Nor should we overlook what Cromwell said in a Letter to the President of the Council of State, dated at Edinburgh, 25th September, 1650, "I thought I should have found in Scotland a conscientious people, . . . but the people generally are so given to the most impudent lying, and frequent swearing as is incredible to be believed."* Thus, the

* Carlyle's *Oliver Cromwell's Letters and Speeches*, vol. iii., p. 74.

Kirktonian testimony as to the high moral and religious condition of the country must necessarily be taken *cum grano salis*.

It was truly a perilous inheritance that had fallen to the lot of Prince Charles. He being then at the Hague, Commissioners were despatched thither to treat with him as to the terms upon which he should obtain the crown. Before they arrived, he had secretly signed a Commission constituting the gallant Marquis of Montrose as Lieutenant-Governor and Captain-General of Scotland, with a view of his making a descent on the Highland coast, and endeavouring by force of arms to win the throne for his liege lord. Montrose accordingly set out for foreign Courts to solicit supplies for his enterprise. The Scots Commissioners reached Holland ; but their negotiations dragged heavily, because of the royal exile's repugnance to the Covenant and its party, and because of his hopes of a restoration by the Cavaliers. Much time was frittered away. It was the end of March, 1650, before Montrose could make his venture. He landed in Orkney, displaying "the King's standard all black—all full of bloody hands and swords, and a red character or motto above, carrying revenge." Crossing to the mainland with a scanty following of half-hearted soldiers, he was defeated. He escaped from the rout and wandered a fugitive in the wilds of Assynt, where his brother-in-arms, the Earl of Kinnoull, sank down exhausted in the desert, and perished of hunger. Then came the betrayal by Macleod for the mean reward of 400 bolls of meal, and the Marquis was dragged to Edinburgh in vulgar triumph, and there done to death, contrary to all the usages of war. The failure of every chance of a Cavalier restoration brought Charles to

terms with the Covenanters, and he set sail for his future kingdom.

The Scottish leaders were busily preparing for hostilities with England. Sooth to say, the ruling faction in England had dealt with the Scots most ungraciously—making servile use of them as long as they were disposed to act as useful drudges, and, when they became recalcitrant, treating the Solemn League and Covenant with scorn and derision. When the King's life was aimed at, the Duke of Hamilton came forward with his "Public Engagement," and, under authority of Parliament, raised a force of 15,000 men to hasten to the monarch's relief. But Argyle and the Kirk, crying out that there was a lack of security for national rights, opposed, and did their best to thwart the expedition. Cromwell overthrew Hamilton at Preston, and went down to Edinburgh, in a friendly way, and shook hands with Argyle. Then came the King's trial. Scottish Commissioners were despatched to protest against his death before the purged English Parliament; but that high body ordered them to be marched home under a guard! This was the respect which Philadelphian Scotland commanded in her "high noon." Scotland, however, fancied that she might have monarchy for herself, with all the securities which she desired; and so she clung to her young King, who was ready to swear to the Covenant that he might reach the throne which was his by hereditary right. Therefore the Covenanting Government, after the breathing time afforded by Cromwell's absence in the Irish campaign, made ready fast for war. General David Leslie, a soldier of reputation, and the vanquisher of Montrose at Philiphaugh, was entrusted with the supreme military command. At the sitting of Parlia-

ment, on 22nd June, 1650, a list was passed of the proportions of foot and horse to be raised by each shire "to the first levy," being an army of 9749 foot and 2882 horse (six troops of horse, or 445 effective, to form every regiment)—total 12,631. Sir James Balfour notes a strange story which was told next day in Edinburgh: "That on Tuesday the 3rd [it should be the 4th] day of June this year, 1650, it rained from the heavens drops of blood in Ewesdale"—a parish in the district of Eskdale Dumfries-shire—"which was certified by divers gentlemen of good credit, inhabitants there, to the Estates of Parliament, on Sunday, the 23rd day of this same month." Nicoll, the diarist, says that the bloody rain extended over three miles of country!

On that Sunday, the 23rd, King Charles arrived off the mouth of the Spey, but was not suffered to set foot on Scottish soil till he had formally taken the Covenant. The Merry Monarch did so with alacrity—laughing in his sleeve meanwhile, we may be sure—and came ashore at the village of Garmouth, about half-a-mile above the mouth of the river. According to the tradition of the district, the Dutch ship which carried the King could not get in to the little harbour, and a boat was necessary to land the royal party; but the boat, again, was prevented, by shallowness of water, from beaching, and the monarch was brought to land, mounted on the broad shoulders of a brawny fisherman, named Thomas or John Milne. The story of the royal landing has been characteristically told by Sir Thomas Dick Lauder: "The boat could not approach the shore sufficiently near to admit of Charles landing dry-shod; and Milne, wading into the tide, turned his broad back to the King at the side of the boat, and resting his hands on his

knees, very quietly bade His Majesty 'loup on.' 'Nay, friend,' said the King, smiling, though somewhat alarmed at the proposal, 'I am too great a weight for so little a man as you.' 'Od! I may be little o' stature,' replied Milne, looking up and laughing in Charles' face, 'but I'se be bound I'm baith strong and sturdy; an' mony's the weightier burden I've carried i' my day.' Amused with the man, and persuaded by those around him that there was no danger, the King mounted on Milne's back, and was safely landed on the boat-green. It does not appear that Milne received any reward for this piece of service;" but ever afterwards he was known as *King Milne*.*

By yielding allegiance to "the young man, Charles Stuart," Scotland had flung down the gage of defiance to her southern sister. The challenge was promptly accepted, and an army of invasion, 16,000 strong, under Oliver Cromwell, was about to march to the Borders. The King came leisurely northwards from the Spey—held in leading-strings, and obliged to listen daily to long-winded preachments and exhortations. In the beginning of July he was at St. Andrews; on the 5th, he banqueted at Cupar, and went to Falkland next day. There he abode till the 23rd, when he made a progress to Perth, and we learn from Sir James Balfour what occurred there:—"His Majesty stayed at Falkland until Tuesday, the 23rd of July, from whence he did remove to Perth for one night, where he was feasted with all his train by the Magistrates of the said burgh in L.-General David Leslie's house." This house, apparently the tem-

* *An Account of the Great Floods of August, 1829, in Moray*, p. 303.

porary lodging of the General, would seem to have been the historic edifice, Gowrie House, in which James VI. made, as he asserted, so narrow an escape from assassination, and which became the lodging of Charles during his subsequent residence in the Fair City. The gardens extended down to the side of the Tay, and in the south-east corner, and abutting upon the river, stood a round building, highly ornamented in the interior, called the "Monk's Tower," presumably the "garden house on the river," immediately to be mentioned. When Charles came to Perth, he may have seen a hand of the "great Montrose" surmounting one of the ports. Balfour proceeds:—"His Majesty, at his entry, was met by the Provost and Magistrates and Council, all in mourning, with a guard of partisans, who attended his Majesty during his abode there, in mourning likewise. Mr. George Hallyburton, one of the ministers of the town, had a pretty congratulatory oration to his Majesty. After dinner on Wednesday, his Majesty went to the garden house on the river, wherein there was a table covered with dessert of all kinds; there the Provost, on his knees, presented to his Majesty his Burgess Bill, and another to the Duke of Buckingham"—in token of their election as burgesses of the city. "His Majesty at my desire, wrote in their Book of Privileges, his name and motto thus—

"24 July, 1650.

"CHARLES R.

"Nemo me impune lacessit."

This was the second royal signature in the Guildry Book of Perth, the first being that of James VI. After the dessert and the civic ceremony in the garden house,

Charles left Perth, and reached Dunfermline the same night. Next day, he went to "his own house," the Castle of Stirling. Over a port of the town was the other hand of Montrose.

As has been already alluded to, Scotland, in that age, that "high noon" of Kirkton's, was the slave of superstition. The witch mania was at its height. The Parliament itself, on 22nd May, 1649, appointed a Committee "to try the depositions of 54 witches," and to order their executions if they were found guilty! Two rascally impostors, John Kincaid and George Cathie, designated "witch searchers," were going through town and country, providing victims for the stake. Apparitions, warnings, signs and wonders were plentiful in those days of high-wrought excitement and national confusion. The outbreak of the Civil War, and all its subsequent fortunes, had been prefigured by meteors, flaming swords, and armies fighting in the night-sky; while unearthly sounds of drums, and trumpets, and cannon-shots were heard on hillsides and in solitary places. Unenlightenment could not discern that many of such portents were attributable to natural causes; but others of them, *if true*, were utterly beyond the grasp of philosophy. What shall we say of the following story, which appeared in one of the diurnals of the time, under date of Edinburgh, 4th January, 1649? "There was lately, upon a Lord's Day, a very strange sight at St. Johnston's [the town of Perth], at which town Lieutenant-General David Leslie hath an house, himself being then at church, where two of his men being at home, they saw (as they thought) an ensign fastened like a standard upon the tower of his house, which caused them to go up, not having known of any such thing put there.

When they came up there, as they say, they being on the top of the tower, looked upon it, and there seemed to be the picture of their master, Lieutenant-General David L., riding upon his charging horse, in his buff coat, and in that posture in which he used to march, and upon it also the motto of his own colours"—probably the motto of the house of Lindores, of which he was the third son, *Stat Promissa Fides*—Faith promised stands. "One of the men going near to the flag to hold it in his hands, or touch it, the staff, and colours, and all fell down into the midst of the garden, whither they went down to take it up again. When they came into the garden, and thought to have found it there, it was gone; and none knows anything more of it, only what these two there saw. They went presently to the church to tell their master what they had seen, and what befell them, and to ask him about it, and whether he knew of any such ensign set up there." The diurnal paragraphist omits to mention what General Leslie said; but we may suppose that his answer was in the negative, for the narrator goes on: "This news hath much amazed them hereabouts; some making a good construction of it to Scotland, others bad, and good to England. Some think that the men were seduced by an evil spirit, and some think they are very knaves." Whatever was thought, the ensuing war with Cromwell gave Leslie plenty opportunities of "riding on his charging horse," and certainly his flag fell ingloriously at Dunbar, and again at Worcester.

But towards the end of July, 1650, there was a far more singular manifestation on the Castle-hill of Edinburgh. On one of those quiet and balmy summer nights, a sentry at the outer gate of the Castle, under

the Half-moon Battery, was alarmed by a drum beating, and the tread of martial feet advancing up the hill. He listened, and, as the times were wild and treachery broadcast, he fired off his musket, and brought out the main-guard, and also the Governor, Colonel Walter Dundas of that ilk, to whom he told the reason of the alarm. But now, as all was still and nothing to be seen, in the midnight, his word was indignantly scouted—very likely he was roundly charged with being “drunk or daft”—and Dundas, bestowing on him a few thwacks with his truncheon, dismissed him to his quarters, and posted a fresh man in his place. This soldier had not been long alone when the report of his firelock rang over the Castle—and he, too, protested that he had heard the drum and the marching! The Governor was staggered. He would watch himself, and so he did. Not many turns had he taken when the mysterious drum began to beat the *Old Scots March* of King James the Fifth’s time, and was duly accompanied by the military tramp on the bare declivity beyond the fortress! The sounds approached, mingled with the rattle of arms and the murmur of men, and seemed to pass slowly before the very gate where stood the amazed Governor, who saw nothing, and then they died away. “Finding it an apparition,” says the contemporary *Account*, which professes to be founded on the version of the circumstances given to “a godly person in Edinburgh” by the Governor, “he heard the same noise approaching to the Castle walls, beating the *English March* more fierce than the other, and then desisted; a little while after he heard a great noise of armed men, marching with a greater violence than the other two, and, on their approaching the Castle walls, they desisted, and there

beat the *French March* more fiercely than the Scots or English. Next morning the Governor told the foresaid person what he had met with, and that they were shortly to remove, and that the French would come ere all the work were ended." * The rush of events speedily gave fulfilment to part of the spectral visitation. Cromwell marched his army through Berwick on Monday, 22nd July—two squadrons of cavalry being the first that passed over to Scottish soil. All the beacons on Scottish hills and headlands were kindled, spreading far and wide the news of the invasion.

The Scots followed the old mode of defence enjoined by King Robert Bruce. They laid waste the whole country from Berwick to Edinburgh. Proclamations were issued, furiously denouncing "the blasphemers,"

* It appears from Grant's *British Battles* that the *Scots March* was not a tune, but "a peculiar beat of the drum, used as lately as 1818 by the City Guard of Edinburgh. There was also a similar cadence on the drum used in the sister country, known as the *English March*, which is that mentioned in a Warrant of Charles I., issued at Westminster in the seventh year of his reign (1632), as 'the march of this our English nation, so famous in all the honourable achievements and glorious wars of this our kingdom in foreign parts, which, through the negligence and carelessness of drummers, and by long discontinuance was so altered and changed from the ancient gravity and majesty thereof, as it was in danger utterly to have been lost and forgotten. It pleased our late dear brother, Prince Henry, to revive and rectify the same by ordaining the establishment of one certain measure, which was beaten in his presence at Greenwich in 1610;' and this measure, continues the Warrant, is to be used in future by 'all drummers within our Kingdom of England and Principality of Wales.'" The *French March* would, in all probability, be drum music of the same character, though varying in cadence from either the Scots or the English.

Cromwell, and his "army of Sectaries." Cromwell's barbarities in the Irish war being fresh in men's minds, the Scottish Government declared that the Roundheads would massacre all males between sixteen and sixty; consequently, when the invading troops advanced, it was through a devastated country, deserted by all its inhabitants save only old men and some poor women and children. The season, though it was summer, was bad; provisions were very scarce, and could only be obtained from the English ships which sailed along the coast; and the soldiers had no tents—"so, in my judgment," quoth an Intelligencer of the day, "wet weather and want of provisions will make Captain *Cold* and Captain *Hunger* much injure the army." Cromwell, however, warily resolved to falsify his enemies' predictions of the savage manner in which he intended to conduct the campaign. He was in straits, and could not afford just yet to show any indication of ruthless measures. He harangued his men on the necessity for good behaviour, and strictly forbade all plundering. But he had not spent a night on Scottish ground when a droll instance of plundering came under his own eye at Mordington, where his camp was pitched. The incident is recorded in the *Memoirs* of Captain Hodgson, one of the Roundheads:—"Our officers, hearing a great shout among the soldiers, looked out of window. They spied a soldier with a Scotch *kirn* on his head. Some of them had been purveying abroad, and had found a vessel filled with Scotch cream; bringing the reversion of it to their tents, some got dishfuls and some hatfuls; and the cream being now low in the vessel, one fellow would have a modest drink, and so lifts the *kirn* to his mouth; but, another canting it up, it falls over his head, and the

man is lost in it—all the cream trickles down his apparel and his head fast in the tub ! This was a merriment to the officers, as Oliver loved an innocent jest." Noll might laugh at this misadventure ; but, for a time, he was stern in the prohibition and punishment of plundering ; and during his onward march more than one soldier suffered death for disobedience in this respect.

The covenanting commander, David Leslie, entrenched his forces in front of Edinburgh, and confidently awaited the onset. About 30,000 had mustered around his standard ; but a purgation of his ranks took place on the Links of Leith, whereby every man was discharged who bore the slightest taint of *malignancy*. Many of the best soldiers—probably about a third of the whole array—were thus disbanded, to satisfy tender consciences ; and the residue constituted an "Army of Saints," who could not possibly fail in scattering the Sectaries like chaff before the whirlwind. King Charles was brought to review the troops, and his heart must have sunk as he witnessed the folly and madness of his self-righteous masters. But their cup was not yet full : for they had still to usher in the "high noon" of their country's degradation and thralldom. When Cromwell came up, he found a long line of defence, bristling with pikes and cannon, and his attack was stoutly repelled. Everything was against him. His assault had failed. The weather was wretched, with wind and rain : his supply of provisions was short, and sickness prevailed in his camp. In fact, sickness was general in the country, and smallpox caused a lamentable mortality among children. Unable to draw Leslie from his position, and not daring another attempt to storm it, Cromwell was

driven to retreat. He fell back on Musselburgh, Preston, and Inveresk, and began to form entrenchments. "He made stables," says Sir James Balfour, "of all the churches for his horses wheresoever he came, and burned all the seats and pews in them ; rifled the ministers' houses, and destroyed their corn."

The Scottish army—numbering, according to Cromwell's computation, 16,000 foot and 6000 horse, though it was probably somewhat smaller—followed the beaten enemy, and brought him to bay at Dunbar. The English were now, in Captain Hodgson's words, "a poor, shattered, hungry, discouraged army"—not more, it is said, of effective strength, than 7,500 foot and 3,500 horse. Leslie seized the high grounds, and had but to remain there, and Cromwell must either have laid down his arms or fought, with the certainty of being cut to pieces. The surrender or annihilation of the English would have been the issue, had Leslie worked out his Fabian policy. But he changed it—some say at the instigation of the Committee of Estates and the ministers who attended him. The ministers pretended to have seen visions and dreamed dreams, in which they had received divine assurance that Amalek was about to be delivered into their hands. They might have been warned by a symbol of wrath in the heavens, which Sir James Balfour has thus recorded. "On Friday, the 30th of the month of August, 1650, between ten and eleven at night, there was seen in the firmament a fiery forked sword, coming from the north, and it did vanish and pass away out of sight south-east. Andrew Balfour and Henry Hope, merchants of Edinburgh, being on the watch, with many hundreds more, did see it, and testifies the same to be of truth." But Leslie changed his plan.

He began to descend the hills on the 2nd of September, and next morning the two hosts joined battle.

The fight lasted about an hour. It began with the English cavalry. "Before our foot could come up," says Cromwell, "the enemy made a gallant resistance, and there was a very hot dispute at sword's point between our horse and theirs." The descent of the hill put the Scots at an enormous disadvantage; but it might have been relieved had David Leslie exerted himself. As it was, he seems to have done nothing, while his army was going to wreck and ruin. His right wing was soon overwhelmed by superior forces, and his centre and left wing were never brought up to support it, and when it was driven back it threw centre and left into irretrievable disorder. What might have been the result had the "Great Montrose" led the Scots? But the die was cast, and Cromwell gained the victory, at a loss, he said, of "20 men!" The Scots left 3,000 men dead on the field, and 9,000 were taken prisoners, including 12 Lieutenant-Colonels, 6 Majors, 37 Captains, 75 Lieutenants, 17 Cornets, 2 Quarter-masters, 110 Ensigns, and 15 Sergeants. All their baggage and ammunition, thirty-two pieces of artillery (some of which were leather guns), and about 200 stands of colours, fell into the hands of the conquerors. General Leslie, "vigorous for flight as for other things," says Carlyle, "got to Edinburgh by nine o'clock." When the work was done, Cromwell held thanksgiving with his soldiers by singing the 117th Psalm:—

O give ye praise unto the Lord,
All nations that be;
Likewise, ye people all, accord
His name to magnify.

For great to us-ward ever are
His loving-kindnesses :
His truth endures for evermore,
The Lord O do ye bless.

Leslie wrote a letter to the Marquis of Argyle, containing a confused notice of the defeat of his army :—

Concerning the misfortune of our army I shall say nothing but it was the visible hand of God, with our own laikness, and not of man that defeat them, notwithstanding of orders given to stand to their arms that night. I know I got my own share of the fall by many for drawing them so near the enemy, and must suffer for this as many times formerly, though I take God to witness we might have as easily beaten them as we did James Graham at Philiphaugh, if the officers had stayed by their troops and regiments.*

But very probably if James Graham had set outposts around his camp, Leslie would have told a different tale, had he survived to tell a tale at all.

How did Cromwell treat his prisoners? He sent to their own homes 5100 sick and wounded, chiefly old men and boys, who, in a dearth of recruits, had been forced to swell the ranks; and the remainder, 3900, were marched in droves to England, and ultimately, all of them who escaped the ravages of disease, were sold as slaves for the Plantations! “In the long black catalogue of disasters brought upon Scotland during a period of five hundred years by rulers whom God in His wrath had sent to be her curse, her scourge, and her shame, there is none greater or more shameful than this rout of Dunbar, rendered yet more galling and made to bear a pre-eminence of hardship and infamy by the treatment

* *Burson's History*, vol. vii. pp. 25—26.

which the prisoners met with from the victors.”* And as another writer says :—“ A more melancholy page of history is nowhere to be found than this brief reign of the Covenant in Scotland.”† How some of the Scottish white slaves were used across the Atlantic will be best seen from a letter dated Boston, 28th July, 1651, sent by a famous Puritan minister of New England, the Rev. John Cotton, to Cromwell :—“ The Scots whom God delivered into your hands at Dunbar—and whereof sundry were sent hither—we have been desirous, as we could, to make their yoke easy. Such as were sick of the scurvy or other diseases have not wanted physic and chirurgery. They have not been sold for slaves to *perpetual* servitude ; but for six, or seven, or eight years, as we do our own. And he that bought the most of them, I hear, buildeth houses for them—for every Four a House—and layeth some acres of ground thereto, which he giveth them as their own, requiring them three days in the week to work for him by turns, and four days for themselves ; and promiseth, as soon as they can repay him the money he laid out for them, he will set them at liberty.”‡ This was a generous taskmaster ; but we may wonder what the white slaves thought of that glorious time, “ Scotland’s high noon,” which had brought them to ineffable degradation !

* Bisset’s *Omitted Chapters in the History of England*, vol. i. p. 378.

† *North British Review*, vol. 46, p. 415.

‡ Carlyle’s *Cromwell’s Letters and Speeches*, vol. iii., p. 171.

II.

Am I a King?

What power have I? Ye lying slaves, I am not.

—*Hannah More's "Belshazzar."*

GENERAL LESLIE, with the wreck of his army, retired upon Stirling, and Cromwell retraced his steps towards Edinburgh, where no resistance could be made to him, except from the Castle, which was held for the King by Colonel Dundas. The great Sectary occupied Edinburgh and Leith, and in a few days had in his hands most of the country, south of Forth, as far as Falkirk. But the disaster of Dunbar, while it shattered the power of the high-flying party among the Covenanters (and for that reason was secretly gratifying to the King and his royalist supporters), had no effect in moderating the wildness of the aims and ends contended for by the humiliated enthusiasts. In the face of the common danger,—in the face of a bleeding, distracted, half-enslaved fatherland,—the zealots created new division, though never was unity more needful for a nation's salvation. They were utterly dissatisfied with the King: he had shown no sign of conversion, or of penitence for the sins of his house: he still kept malignants about him, and these should be expelled *nolens volens* by a thorough purgation. So deep were the convictions of these men, that about 4000 soldiers of their austere faction seceded from Leslie's camp, under the leadership of Captain Strachan, who had crushed Montrose's rising, and took up an independent

attitude—their plea of superior sanctity and stricter Covenant-keeping justifying them in opposing both the King and Cromwell. As if to keep them in countenance, a few members of the Commission of Assembly, following the army and the Parliament to Stirling, drew up and issued a Declaration and Warning applicable to the crisis, and also “Causes of a Solemn Public Humiliation upon the defeat of the army, to be kept throughout all the Congregations of the Kirk of Scotland”; and among the causes of divine wrath they assigned the following:—“The leaving of a most malignant and profane guard of horse to be about the King, who having been sent for to be purged about two days before the defeat, were suffered to be, and fought in our army.” The men who entertained such notions about the proper composition of an army, were unworthy of their position. The Fast which they ordered was kept; but in Fife especially many of the ministers refused to read the Causes from the pulpit; and, indeed, the reign of the zealots was fast approaching its final termination. Eventually Strachan and his Ishmaelite band were routed by the English near Hamilton, and Strachan soon consummated his baseness by openly joining Cromwell.

The stormy weather prevented Cromwell from attacking the royal troops at Stirling; but he made his way to Glasgow, where he was quietly received; and he laid close siege to the Castle of Edinburgh, in which a number of ministers had taken refuge. In this interval, the King was treated as a mere puppet in the hands of his *quasi* friends. It was plain that he lacked sincerity in the cause which had been thrust upon him; hence the keen jealousy with which he was regarded. There was

“incompatibility” on both sides. Charles fretfully endured the restraint imposed upon the free and easy habits which he had brought with him from the Continent. Distasteful was the odour of sanctity which perpetually surrounded him. He could not conceal how irksome to his nature was the round of religious services in which he had daily to engage. He did not think that Presbyterianism was the “religion of a gentleman.” At length, he began to dread lest his friends might end by handing him over to the enemy, as they did with his father; and full of such fears, he listened eagerly to the suggestions of the few Cavaliers about him, that he should strive to make his escape, and throw himself among the Royalists of the north. Correspondence was opened with the Marquis of Huntly, the Earls of Moray and Athol, and other Chiefs, all of whom gladly entered into the plot, and summoned their vassals to arms. Before the conspiracy was ripe, however, some hint of its existence was conveyed to the Marquis of Argyle. Upon this discovery, the Committee of Estates resolved to dismiss two and twenty of the Cavaliers who remained about the King’s person, leaving only three exempted from the sweeping ostracism. The marked men were ordered to quit the Court within four and twenty hours, and the kingdom within twenty days. Charles was brought to Perth, where the Parliament was shortly to assemble. He pled hard that nine of the persons to be banished should be passed over until the Parliament sat down, and gave its judgment. But the inexorable Committee refused this poor favour. On getting the rebuff, the offended Prince made up his mind to take his flight at the earliest moment. Nor was the opportunity long

deferred, though it came sooner than his Highland partisans expected.*

On Friday, the 4th October, the King gave out that he wished to enjoy the sport of hawking that day on the banks of the Tay south of Perth ; and to lull suspicion he desired to be attended by only five ordinary servants—namely, two grooms of his chambers, and three gentlemen of his stables. Dressing himself in a thin riding-suit, he set forth on horseback, with his slender train, and issued from the town by the South Port about half-past one o'clock in the afternoon—probably whilst the music bells in St. John's steeple were tinkling the silvery notes of some old Scots melody. He rode rapidly through the South Inch, whose green expanse would be diversified with snow-white "bleachings," and grazing cattle, and gamesome children. If the prospect of the hills nerved his beating breast with the anticipations of freedom and regal sway, perchance the russet hues of autumn, the tokens of Nature's decay—the brown fields cleared of a scanty harvest, the reddening foliage, the withered wild flowers, the sere leaves falling from the boughs and whirling in the wind, might tend to impress his soul with sombre reflections. As soon as he had passed the Inch, he put spurs to his steed, and rode "at a full career" down the river-side.

* The position of Charles among the Covenanters was afterwards amusingly depicted in a Parliamentary Caricature, dated 14th July, 1651, "The Scots holding their young King's nose to the Grindstone." Under this title is a woodcut representing the grindstone which "Jockie," a Scot, is turning ; the King, in his royal robes, bending his nose over it, and a minister pressing the King's head down with one hand, and saying, "Stoop, Charles." A long poem follows. See Ashton's *Humour, Wit, and Satire of the Seventeenth Century*, p. 403.

Crossing the Tay at Inchyra, the royal party made straight for Dudhope Castle, near Dundee, near which, as the King had been told, the Cavalier forces were to hold rendezvous. That place being reached, no forces were found there, but he was welcomed by Viscount Dudhope, who bidding him be of good cheer, promptly led him to Auchterhouse. From thence, without any pause, he was hurried away by the Viscount and the Earl of Buchan to Cortachy Castle, a romantic seat of the Earl of Airlie, on the banks of the South Esk. But even under the roof of the faithful Ogilvie, Charles was not considered safe from pursuit ; and therefore, after he had partaken of a hasty repast, sixty or eighty Highlanders were mustered, and, under their escort, he sought the heathy solitudes of the Glen of Clova, along which the River Esk pours its flood. The sough of the wind among the heather, the screams of the startled birds as they rose on the wing, the bounding away of the deer from their bosky coverts, and the fresh bracing air of the hills, may have inspired him with hope and confidence ; but he never drew bridle till he came to a lonely shieling pertaining to the Laird of Clova. The young monarch had now ridden in all forty-two miles from St. Johnstoun. Weary and faint, he sought repose. The hovel afforded no better pallet than a ragged mat of "seggs" and rushes, and an old bolster. He lay down, "over-wearied," it is told, "and very fearful." Perhaps he recalled to mind that no better couch had the valiant Bruce when, in the lowest ebb of his fortunes, he lay and watched the spider whose persistency in stretching its thread from rafter to rafter overhead prefigured his own ultimate triumph.

"Very fearful" was the royal fugitive, and not without.

good cause for fear. Before daybreak glimmered in the murky east, the hut was entered by two emissaries of the Covenanters! His flight had been tracked, and six hundred troopers were coming up fast. Three other emissaries soon appeared, and all joined in urging the King's return. Dudhope besought him still to fly, telling him that some five or six miles farther among the hills five thousand foot and two thousand horse were gathered for his support. But the pursuing cavalry quickly surrounded the hut, and the game was lost. The captains of the squadron seem to have behaved with much tact and discretion. Charles put the best face he could on the motives of his evasion, and consented to go back to Perth. "So," says Sir James Balfour, "they conducted his Majesty to Huntly Castle in the Carse of Gowrie, where he stayed all Saturday night, and from thence, on Sunday in the afternoon, he came to Perth the 6th of October, and heard sermon in his ain chamber of presence, the afternoon's sermon in the town being ended before he entered the town."

The Start, as this incident was called, caused the Covenanting magnates still more to modify their conduct towards the King.* They treated him with

* The *Start* had its parallel during the wars of Edward III. of England on the Continent. The young Count of Flanders, Louis de Macle, after the death of his father on the French side at the Battle of Crecy, promised solemnly to respect the privileges of Flanders, Brabant, and Hainault, and also to cement their alliance with England by wedding Edward's daughter, the Princess Isabella, to whom accordingly he was betrothed on 14th March, 1347. But his heart was with France and Margaret of Brabant. The Flemish Communes held him in close restraint; but, only a few days after the betrothal, he obtained leave to go out to fly a

greater consideration, and strove to render his position in every respect agreeable to him. He sat, for the first time, in the Committee of Estates, at a meeting of that ruling body, held in his own chamber on 10th October. He endeavoured to make himself as conciliatory as he could, and, as is said, gained upon the weak side of the Marquis of Argyle by throwing out hints that he might marry his daughter. Meanwhile, the King's return from Clova glen did not prevent a rising of the Royalists in Athole and elsewhere, and it was not without considerable difficulty that they were induced to lay aside their arms. A royal pardon was granted to them, and proclaimed by a herald at the Cross of Perth. On 20th November, before the Parliament met, an Act was passed by the Committee of Estates "ordaining none in the burghs of Perth, Dundee, Cupar, St. Andrews, Burntisland, etc., to take any more than 4s. Scots for a gentleman's bed a-night, and 2s. for a servant's; and the lodger to pay for candle and fire, by and attour; and the transgressing landlord of this Act to pay, *toties quoties* (every time of transgression), £100 Scots."

The Scottish Parliament had sat down at Perth, in the ancient Parliament House in the High Street, on Tuesday, 26th November. The member for the burgh was the Provost, Andrew Grant of Balhagils (now Murrayshall) and Bonhard. Not many sittings had been held when there appeared a presage of evil. On the evening

hawk; and, says Froissart, "when he was at some distance from his guards, and in the open fields, he drove his spurs into his horse, and made such speed that he was soon out of sight; nor did he stop till he got into Artois, where he was safe," with the French King. Probably Charles II. had read this story in Froissart's *Chronicles*.

of Thursday, 5th December, after candles had been lighted in the Parliament House, "a great stock owl," says Sir James Balfour, "mounted on the top of the crown, which, with the sword and sceptre, lay on a table over against the throne." Here was an omen! From classic times, the owl, though the bird of Minerva, or of wisdom, was regarded as being the harbinger of public calamity. An owl once strayed into the capitol of Rome, and the city had to undergo a lustration to avert the threatened evil; and, on another occasion, war was presignified by the flying of owls into the Temple of Concord. Among the prodigies that preceded the assassination of Julius Cæsar was this—

The bird of night did sit,
Even at noon-day, upon the market-place,
Hooting and shrieking.

Owls likewise presaged the deaths of the Emperors Augustus and Commodus Antoninus; and the Emperor Valentinian died shortly after an owl had perched on the roof of his bath-house. Pope John XXIII. was alarmed by the appearance of an owl in a Roman Council;* and, in 1542, at Wirtzburg in Franconia, the

* John XXIII., who became Pope in May, 1410, called a "Reformatory Council" together at Rome in 1412. When the preliminary services were over, "an owl flew up suddenly with a startling hoot into the middle of the church, and, perching itself upon a beam opposite to the Pope, whence it stared him sedately in the face. . . . His Holiness was greatly annoyed, and turned pale, then red, and in an awkward and abrupt fashion dissolved the meeting. . . . At the next session, says Fleury, the owl took up his position again, fixing his eyes on John, who was more dismayed than before, and ordered them to

screeching of owls was followed by pestilence and war. In full accordance with this superstition, the advent of (what the poet Spenser calls) "the ill-faced owl, death's dreadful messenger," in the Parliament House of Perth, was followed by heavy national misfortunes.

On Tuesday, 24th December, Edinburgh Castle was tamely, perhaps treacherously, surrendered to Cromwell—only one of the ministers in the garrison, Mr. Mungo Law of Dysart, protesting against the unwarrantable transaction; and "the English bragged," says Balfour, "that they had the same keys to open the Castle and town gates of Stirling which opened the Castle gates of Edinburgh." But, above all, the Parliament took a step which, though dictated by the soundest principles of policy, caused a serious and lasting rupture of the Covenanting party. By what was called the "Act of Classes," which had passed some time before, all persons known or suspected as *Malignants* (Cavaliers) were pronounced incapable of holding public office, civil or military—a measure which excluded thousands of all degrees from aiding in the defence of the country. The defeat at Dunbar altered the relative strength of parties. The Malignants had suffered nothing from that battle; they were numerous and powerful, and the new levies for the army could not be made up without them. They secretly viewed with satisfaction the heavy losses which befel the rigidly-Covenanting party. Thus, so late as

drive away the bird. A singular scene then ensued, the prelates hunting the bird, which insisted on remaining, and flinging their canes at it. At last they succeeded in killing the owl as an incorrigible heretic."—James' *Curiosities of Christian History*, p. 371.

the 5th December, the Duke of Buckingham, writing from Perth to the Marquis of Newcastle, says :—

I can not but observe to you as a happy omen of our future good success, that our losses begin to grow lucky to us, for Lambert has lately fallen upon the western forces and routed them, which next to Cromwell were the greatest enemies we had in the world. I hope now we shall agree, and join to make a considerable army, since they are defeated that were the greatest hindrance to it. If we can but unite among ourselves, I am confident we shall yet make as brave an army as ever was raised in this kingdom, but whether we shall be so happy as that comes to or no, God knows.*

Acting for the best, the Parliament, in a compromising spirit, opened a door for the admission of that party, by agreeing to "Resolutions" declaring that as many persons as expressed contrition for their defections from, or opposition to, the cause of the Covenant, should be eligible for the public service in any capacity. These Resolutions became a bitter bone of contention, and, like Ithuriel's spear, forced an unpatriotic fanaticism to appear in its true colours before the eyes of men. The enemy was in the land, and master of the provinces south of the Forth : surely no stone ought to have been left unturned, and every sacrifice should have been made, for his expulsion. What signified politico-ecclesiastical squabbles, and hair-splitting distinctions, when the honour, the safety, the independence of the kingdom was at stake? The more rigid section of the Presbyterians opposed the resolutions tooth and nail, but were out-voted, and then they protested, and would concur in no farther measures for prosecuting the war against the

* *Thirteenth Report of the Royal Commission* : The MSS. of the Duke of Portland, vol. ii., p. 137-8.

invader ! It was a woeful time : and for the next ten years the down-trodden Church of Scotland was rent by the rancorous feud which the party of *Protestors* kept up with the *Resolutioners*. But the resolutions were approved by the majority of the people, and sufficiently served the purpose for which they had been introduced by giving the requisite impetus to recruiting for the royal army.

The New-Year's-Day of 1651, being Wednesday, became memorable by the Coronation of King Charles the Second—the last Coronation in Scotland. This august ceremonial had been postponed from time to time ; but it now took place, on the first day of 1651, at Scone, where, since the reign of Kenneth II., the conqueror of the Picts, a long line of monarchs had been invested with “ the round and top of sovereignty.” It was Kenneth who in 843 brought the *Lia Fail*, or Stone of Destiny, from Dunstaffnage to Scone, and there it remained as the Scottish Palladium, till Edward I. reft it from its place, and removed it to Westminster Abbey. Robert Bruce, the heroic restorer of Scottish independence, was crowned at Scone by the Countess of Buchan, who placed on his head a thin circlet of gold, probably taken from the brow of some image of saint or martyr in the Abbey Church. There, too, his unworthy son, David II., and the next three monarchs, Robert II., Robert III., and James I., were crowned. James II. was crowned at Holyrood, because it was thought perilous for the royal boy to be brought to the vicinity of the city where his father was assassinated. James III. was crowned at Kelso, surrounded by the soldiers who took the Castle of Roxburgh, at the siege of which fortress his father had been killed by the

bursting of a cannon. James IV. was crowned at Scone : so was James V. in October, 1513, from which date 138 years elapsed till Scone again became, and for the last time, the scene of a Scottish Coronation.

The Coronation of 1651 necessarily differed to some extent, in its ceremonial, from that of Charles I. at Holyrood in 1633, and presented little of the splendour which had graced the latter magnificent spectacle. Stately pageants were in unison with the days of 1633, when the nation enjoyed profound tranquility, unexpectant of the troubles in store—though even then the rising of the storm-cloud, no bigger than a man's hand, might have been descried in the horizon. How striking was the contrast between the two periods ! A few short years had evolved an epoch, the influence of which is felt to this day, and will continue to be felt through all succeeding ages.

If Holyrood had been available for the young King's Coronation, the august ceremony would have graced its venerable halls. Holyrood, however, was not only in the hands of the enemy, but was now reduced almost to a mass of blackened ruins. Some of the Roundhead troops had been quartered in it, and through their carelessness a fire broke out, on the 13th November, which devastated the building, though the north-west tower, containing Queen Mary's apartments, fortunately escaped. This was a disaster which must have struck the nation as an omen of direst import. Under these sad auspices, King Charles, like his heroic ancestor, Bruce, at the outset of his struggle, went to Scone.

No vestige of the ancient Abbey and Palace of Scone survived in 1651 ; but a new mansion, which was sometimes dignified with the name of palace, had been

erected by David, first Lord Scone, who also built a new Parish Church, on the famous Moot-hill of Scone, about the year 1624, when the remains of the Abbey Church fell in utter ruin. This new church was an elegant structure, but the only portion of it that still exists is an aisle containing Lord Scone's monument. Both palace and church were prepared for the solemnity, which was to be attended with as much display as the circumstances permitted. For one thing, the exchequer was very far from being plethoric, and consequently recourse was had to borrowing in order to meet the expenses of the Coronation. A prosperous burghess of Perth—Andrew Reid, merchant—perhaps the wealthiest citizen of the town,—was applied to in this strait, and he readily advanced about 40,000 merks, upon the King's bond for payment: and it has been also stated that the King was his personal debtor in a further sum of 60,000 merks, obtained in money or goods, or probably in both together. This merchant-prince must have held unbounded confidence in the future of the royal cause, otherwise he would have scarcely been so free with his purse. By command of the Commission of Assembly, the Coronation was preceded by two Fasts, on the 22nd and 26th December: the first being "for the contempt of the gospel," and the second "for the King's sins, and the sins of the royal house." These Fasts were kept by the King at Perth.

The clergyman appointed to officiate at the Coronation was Mr. Robert Douglas, one of the ministers of Edinburgh, and Moderator of the Commission of Assembly—an able and discreet man, free of much of the narrow-mindedness of his day, and a leading member of the party of *Resolutioners*. A mystery hung about his

parentage, which has never been dispelled. He was said to have come of royal blood, and that he was the grandson of Mary Queen of Scots, his father being a son whom she had borne to George Douglas of Loch Leven, during her imprisonment in the Castle of the Lake. Bishop Burnet says that Mr. Douglas "was not ill-pleased to have the story pass," as it added to his personal importance; but "the story" was quite apocryphal, though probably the assumed relationship to George Douglas, by another grandmother than Queen Mary, was correct. Whatever the minister's birth, he was undeniably gifted with commanding talents, which raised him to eminence. He had been chaplain in one of the Scottish Brigades serving under Gustavus Adolphus in the Thirty Years' War. During his campaigns, Mr. Douglas having no other book with him but the Bible, his constant perusal of the sacred volume gave him so thorough an acquaintance with it that he seemed to have the most of it by heart. The Lion of the North held him in the highest estimation, and is said by Wodrow to have thus testified to the remarkable merits of the Scots chaplain:—"Mr. Douglas might have been counsellor to any prince in Europe; for prudence and knowledge, he might be Moderator to a General Assembly; and even for military skill, I could very freely trust my army to his conduct." This was high praise; and Wodrow adds "that in one of Gustavus' engagements, he was standing at some distance on a rising ground, and, when both wings were engaged, he observed some mismanagement on the left wing that was like to prove fatal, and he either went or sent to acquaint the commanding officer, and it was prevented, and the day was gained." After his return from

Germany to his native country, he became second minister of Kirkcaldy in 1630, and continued there till transported to Edinburgh in 1641. He was often called to preach before the Scottish Parliament, being, as Wodrow says, "a great State preacher, one of the greatest we ever had in Scotland, for he feared no man to declare the mind of God to him." While "he was very accessible and easily to be conversed with," yet "unless a man were for God, he had no value for him, let him be never so great and noble." This writer sums up his character by declaring him to have been a "truly great man, who for his prudence, solidity, and research was equalled by very few in his time." The General Assembly of 1649 raised Mr. Douglas to the Moderator's Chair; and, as already stated, he was Moderator of the Commission in 1650. "I have known you," says Principal Baillie in a letter to him, "keep the Commission from going the way of some peremptory men; howsoever I have been grieved, at other times, to see you let things go with them which I supposed was contrary to your mind." Not a more distinguished minister in Scotland could have been selected for the duty at Scone.

"It was Cromwell's purpose," writes Baillie to another reverend brother, "which I thought easily he might have performed, to have marred by arms that action"—the Coronation—"at least the solemnity of it." But Cromwell kept south of the Scottish sea, content for the present with the surrender of Edinburgh Castle. King Charles was conducted to Scone, amid a great assemblage of nobles and commons. Under favour of the Public Resolutions, those noblemen, formerly excluded for their Cavalier politics, now came forward and assumed their places. The Church of Scone was to be the scene

of the Coronation. "The Kirk," we are informed by a contemporary writer, was "fitted and prepared with a table," upon which the honours were to be laid, "and a chair set in a fitting place for his Majesty's hearing of sermon, over against the minister; and another chair on the other side," where he would receive the crown: "before which there was a bench decently covered, as also for seats about for noblemen, barons, and burgesses. And there being also a stage in a fit place, erected of twenty-four foot square, about four foot high from the ground, covered with carpets, with two stairs, one from the west and another from the east—upon which great stage there was another little stage erected, some two foot high, ascended by two steps, on which the throne or chair of state was set." Thus was the Kirk ordered for the reception of the Winter King.*

* It may be stated here that the quartering of portions of the Scottish army in and around the city of Perth was a great hardship to the locality. The daily quartering paid by the farming class was as follows: each horseman 18s. Scots, and each footman 6s. Scots, every twenty-four hours, with "dry quarters and other advancements." But several lairds, at least, allowed their tenants two-thirds of the outlay and the dry quarters. In one case, John Cuthbert, in the half-lands of Tullilum, in the western vicinity of Perth, who had been quartered upon from Lammas 1650 to Lammas 1651, sued Isobel Powrie, relict of the deceased Patrick Anderson, Laird of Tullilum, before the Commissary Court, in 1655 (during the Commonwealth, be it remarked), for the two-thirds, amounting to £540 13s. 8d. Scots. The defender, however, had only intromitted with her late husband's effects to the value of £226 13s. 4d. Scots, for which sum decret was granted, with £10 Scots of expenses of plea.—*Register of Decrets of the Sheriff Court of Perthshire.*

III.

I spake unto the crown, as having sense,
And thus upbraided it : The care on thee depending,
Hath fed upon the body of thy father ;
Therefore, thou, best of gold, art worst of gold.

King Henry IV., Part Second.

NEVER, we may say, had so momentous a New Year's morning, as that of 1651, dawned upon Scotland. When the bell of St. Johnstoun tolled the hour of midnight, closing a half-century whose latter decade had seen furious convulsion, slaughter, and misery in the British Islands, the crown hurled in the dust, the altar overthrown, an anointed monarch brought to the block, and a fanatical soldiery grasping at supreme rule, like the Prætorian bands of degraded Rome—doubtless the Cross of Perth was surrounded by a noisy concourse, who rent the sky with shouts, ushering in another half-century of which fairer hopes were cherished. Despite the austere and gloomy spirit still in dominance, which sought its chief delight in Fasts and Humiliations, sackcloth and ashes, and the subordination of all the usages of life, public and domestic, to a dogmatic clerical "direction"—the people, we may be sure, burst without restraint into the accustomed revelry of the New Year ; for, indeed, vain had hitherto been all attempts to purge the popular mind of its relish for frolic and jollity at the old festive seasons. Now there was ample cause for exuberant merry-making. The simple crowd, though keenly alive to the national dangers, were highly animated by the anticipation of a royal coronation, which

was to render the New Year's Day of 1651 memorable to all time; and, therefore, their demonstrations of rejoicing would know no bounds. The homely wish of "a gude New Year" would be conjoined with the health of the King and confusion to Cromwell, and brimming cups would be drained to the bottom in proof of loyalty. We can picture to ourselves how first-footing parties aroused expectant households over all the city, whilst one proud thought swelled every heart—the assurance of national deliverance when the young King should lead forth his host to battle—even mourners for the slain and the enslaved at Dunbar feeling the weight of sorrow lightened by the certainty of speedy vengeance. The town was thronged with strangers from all parts and of all degrees—nobles, barons, knights, and gentlemen, and likewise bands of soldiers, footmen and horsemen, amongst whom were many malignants who had followed Montrose's banner in the path of victory from Tibbermuir to Kilsyth, and whose hatred to Covenants, National and Solemn League, burned fiercer than ever, because they had voluntarily done public penance, according to law. These stout brethren of the blade would swagger up and down the busy streets, with the clank of spur and steel scabbard at their heels, boisterously drinking the toast of King Charles "five fathom deep," till the wintry dawn broke languidly over Kinnoull hill, and the sun looked down on the ancient capital of Scotland, where flaunting flags, and waving tapestry, and clanging joy-bells bespoke proud festival.

Multitudes repaired to Scone that jubilant day. The Coronation proceeded amid such pomp and state as were compatible with the auspices under which it was

held. A faithful contemporary *Account*, published at Aberdeen, enables us to offer a *resume* of the ceremonial.

First, it is said, the King, in a prince's robe, was conducted from his bed-chamber, in the new Palace, by the Earl of Errol, Lord High Constable of Scotland, on his right hand, and the Earl Marischal of Scotland on his left, to the Chamber of Presence, where he was placed in a chair, canopied with a cloth of state, by the Earl of Angus, Lord Chamberlain of Scotland for that day ; and there, after a little interval, the nobles, with the Commissioners of Barons and Burghs, entered the hall, and presented themselves before his Majesty. The Lord Chancellor, the Earl of Loudon, then addressed the King, expressing the nation's desire that he should reign over them, to which Charles gave a fitting response : " I do esteem the affections of my good people more than the crowns of many kingdoms, and shall be ready, by God's assistance, to bestow my life in their defence ; wishing to live no longer than I may see Religion and this Kingdom flourish in all happiness." After this was spoken, the Commissioners of Burghs and Barons and all the nobility accompanied his Majesty to the Kirk of Scone, in order and rank according to their quality, two and two. The Earl of Eglinton carried the Spurs ; the Earl of Rothes the Sword ; the Earl of Crawford and Lindsay the Sceptre ; and the Marquis of Argyll bore the Crown immediately before the King. Then came the King, supported right and left by the Constable and the Marischal, his train being carried by Lords Erskine, Montgomery, Newbottle, and Mauchline, four Earls' eldest sons. A canopy of crimson velvet was upheld by Lords Drummond, Carnegie, Ramsay, Johnstone, Brechin, and Yester, six Earls' sons, and these sup-

ported by six noblemen's sons. In this manner the King entered the church, where he took his chair in front of the pulpit, and the Honours were laid on the table assigned for them.

All being quietly composed into attention (says our authority), the minister, Mr. Douglas, ascended the pulpit, and after engaging in prayer, gave out his text from the 11th chapter of 2nd Kings:—

12. And he brought forth the king's son, and put the crown upon him, and *gave him* the testimony ; and they made him King, and anointed him ; and they clapped their hands, and said, God save the king.

13. And Jehoiada made a covenant between the Lord and the king and the people, that they should be the Lord's people ; between the king also and the people.

"In this text of Scripture," he began, "you have the solemn enthroning of Joash, a young king, and that in a very troublesome time ; for Athalia, the mother of Ahaziah, had cruelly murdered the royal seed and usurped the kingdom by the space of six years. Only this young prince was preserved by Jehosheba, the sister of Ahaziah, and wife to Jehoiada the High Priest, being hid with her in the House of the Lord all that time." Not unlike were the circumstances under which both the Jewish and the Scottish people came to crown a king. It might be questioned if it had not been better that the Jews defeated Athaliah before they crowned Joash ; but two reasons could be given for proceeding with the coronation—duty to the King, and the danger of delay. "The same is observed in our case, and many wonder that you should crown the King in a dangerous time, when the usurpers have such power in the land. The same reasons may serve to answer

for your doing. 1. It is our necessary duty to crown the king upon all hazards, and to leave the success to God. 2. It appeareth now it hath been too long delayed. Delay is dangerous, because of the compli-
ance of some and treachery of others. If it shall be delayed longer, it is to be feared that the most part shall sit down under the shadow of the Bramble, the destroying Usurpers." The sermon, as a whole, was characterised by uncommon ability, occasionally rising into eloquence. It fully discussed, in temperate and perspicuous terms, the relative duties of King and subjects under the existing constitution of government in Scotland, particularly as affected by Covenant-engagements. The Covenant was the sheet anchor of Kirk and State : all the rights and obligations of sovereign and people were bound up with its maintenance ; and if the King forsook it, he should be forsaken. Touching lightly on that fertile topic of the day—"the sins of the royal family"—Mr. Douglas prayed that the controversy with that house might be taken away, and "that the crown might be fastened sure upon the King's head, without falling or tottering." The anointing with oil, as part of the Coronation ceremonies, he reprobated as being essentially a Jewish rite, not obligatory upon Christians, and as likewise a relic of Popery. Un- sparingly he denounced the English Sectaries, because, said he, "they have a number of damnable errors, and a false worship to set up, and intend to take away the ordinances of Christ and government of His Kirk." But the King was bound, "not only to maintain religion as it is established in Scotland, but also to endeavour the reformation of religion in his other kingdoms," as soon as he was restored to his government there. The

preacher energetically defended the Public Resolutions against the aspersions of the opposing faction, and pointed out that many of the latter party were traitorous enough to enter into correspondence with the invaders and supply them with intelligence. "There is nothing done in Kirk or State," he asserted, "but they (the enemy) have intelligence of it; a baser way hath never been used in any nation. Your counsels and purposes are made known to them. If there be any such here (as I fear there be), let them take this to them, they are of those who help the mighty against the Lord, and the curse shall stick to them." Mr. Douglas concluded his forcible prelection by abjuring the King not to apostatize from Presbytery like his grandfather, King James; for that monarch had laid the foundation of much of the after-mischief.

Sermon being ended (continues our author), prayer was offered for a blessing upon it. The Covenants being now to be renewed by the King, they were both read, and the Commissioners of Assembly and other ministers came and stood before the pulpit. Mr. Douglas having again made prayer, he administered to the King the oath of adherence to the Covenants. These documents and the oath itself, transcribed on a fair parchment, were subscribed by Charles. Having done so, he ascended the stage and sat down in the Chair of State. Then the Constable and Marischal went to the four corners of the platform, preceded by the Lord Lyon, King-at-Arms, Sir James Balfour, who thus addressed the assemblage :—

Sirs, I do present unto you the King, Charles, the rightful and undoubted heir of the crown and dignity of this realm. This day is by the Parliament of this kingdom appointed for his coronation ;

and are you not willing to have him for your King, and become subjects to his commandments?

In which action the King stood up, showing himself to the people at each corner, and they expressed their allegiance by acclamations of "God save the King, Charles the Second!" His Majesty, supported by the Constable and Marischal, descended from the stage, and resumed the chair before the pulpit; whereupon Mr. Douglas left the pulpit, and, accompanied by other ministers, approached Charles, and enquired if he was willing to take the oath appointed for the Coronation? "I am most willing," answered the King. The Lord Lyon then stepped forth, and read aloud the oath as contained in the Eighth Act of the First Parliament of King James VI.

Because that the increase of Virtue, and suppressing of Idolatry craveth, that the Prince and the people be of one perfect Religion, which of God's mercy is now presently professed within this realm: therefore it is statuted and ordained, by our Sovereign Lord, my Lord Regent, and three Estates of this present Parliament, that all kings, princes, and magistrates whatsoever, holding their place, which hereafter at any time shall happen to reign and bear rule over this realm, at the time of their coronation, and receipt of their princely authority, make their faithful promise, in the presence of the Eternal God: That, including the whole course of their lives, they shall serve the same Eternal God to the uttermost of their power, according as He hath required in His most Holy Word, revealed and contained in the New and Old Testaments: and, according to the same Word, shall maintain the true Religion of Christ Jesus, the Preaching of His Holy Word, and due and right Ministration of the Sacraments now received and preached in this realm: and shall abolish and gainstand all False Religions, contrary to the same: and shall rule the People committed to their charge, according to the Will and Command of God revealed in His foresaid Word, and according to the loveable Laws and Constitutions received in this realm, no ways repugnant to the said

Word of the Eternal God, and shall procure to the uttermost of their power, to the Kirk of God, and whole Christian People, true and perfect Peace in time coming. The Rights and Rents, with all just Privileges of the Crown of Scotland, to preserve and keep inviolated ; neither shall they transfer nor alienate the same. They shall forbid and repress, in all estates and degrees, Reif, Oppression, and all kind of Wrong. In all Judgments they shall command and procure that Justice and Equity be kept to all Creatures, without exception, as the Lord and Father of mercies be merciful unto them. And out of their Lands and Empire they shall be careful to root out all Heretics and Enemies to the true Worship of God, that shall be convict by the True Kirk of God of the aforesaid Crimes. And that they shall faithfully affirm the things above written by their solemn Oath.

The minister now tendered the oath unto the King, who kneeling, and holding up his right hand, swore in these words :—" By the Eternal and Almighty God, who liveth and reigneth for ever, I shall observe and keep all that is contained in this oath." This done, His Majesty sat down in his chair, and reposed himself a little space : then arising, he was disrobed by the Chamberlain of the princely robe, and was invested in his royal robes. The Coronation Chair being placed apart on the north side of the church, the King, supported as before, was brought to it. The Sword of State was lifted from the table by a Gentleman Usher (Sir William Cockburn of Langtown), and delivered to the Lord Lyon, who gave it to the Chamberlain, and he, putting it in the King's hands, said—

Sir, receive this kingly sword, for the defence of the Faith of Christ, and protection of His Kirk, and of the True Religion, as it is presently professed within this Kingdom, and according to the National Covenant, and League and Covenant, and for executing Equity and Justice, and for punishment of all iniquity and injustice.

The Constable received back the Sword, and girt it at the King's side. His Majesty sat down in his chair, and the spurs were put on him by the Earl Marischal. The Crown was now lifted from the table by the Marquis of Argyle, and while he held it in his hands, Mr. Douglas prayed "that the Lord would purge the Crown from the sins and transgressions of them that did reign before : that it might be a pure crown : that God would settle it upon the King's head : and since men that set it on were not able to settle it, that the Lord would put it on and preserve it." After the prayer, Argyle put the Crown on the King's head.

Now did the Lyon, beside whom stood the Constable, command one of his heralds to call the whole noblemen one by one, according to their ranks, who each coming before the King kneeling, and with his hand touching the Crown on the King's head, swore these words : "By the Eternal and Almighty God, who liveth and reigneth for ever, I shall support thee to my utmost." And when they had done, they all held up their hands, and swore to be "loyal and true subjects, and faithful to the Crown." The people were next to be sworn. The Lyon, accompanied by the Marischal, went to the four corners of the stage, and proclaimed the Obligatory Oath of the People, who holding up their hands all the time, did swear to become the King's liegemen, and to bear faith and truth unto him, and live and die with him against all manner of folks whatsoever, in his service, according to the National Covenant and the Solemn League and Covenant.

At this juncture, all the Earls and Viscounts put on their crowns, and the Lord Lyon likewise put on his. The Lord Chamberlain drew the Sword with which King

Charles was girded, and delivered it into the hands of His Majesty, who gave it to the Constable to carry it bare before him. The Earl of Crawford took the Sceptre from the table, and put it in the King's right hand, saying—

Sir, Receive this Sceptre, the sign of royal power of the kingdom, that you may govern yourself right, and defend all the Christian people committed by God to your charge, punishing the wicked, and protecting the just.

Wearing his royal robe, and with the crown on his head, and the sceptre in his hand, the King ascended the platform, attended by the royal officers and the nobility, and was installed in the throne by the Marquis of Argyle, who thus said—

Stand and hold fast, from henceforth, the place whereof you are the lawful and righteous heir by a long and lineal succession of your fathers, which is now delivered unto you by authority of Almighty God.

When the King was seated upon the throne, Mr. Douglas spoke to him a word of exhortation—telling him that “destroyers are prepared for the injustice of the throne. I entreat you,” he said, “execute righteous judgment. If you do it not, your house will be a desolation. But if you do that which is right, God shall remove the destroyers, and you shall be established on your throne, and there shall yet be dignity in your house, for your servants and for your people.” He spoke briefly; and when he concluded, the Lord Chancellor, preceded by the Lyon, went to the four corners of the stage, and proclaimed his Majesty's free pardon to all breakers of penal statutes, and made offer thereof, upon which the people cried “God save the King.”

Then, the King, supported by the Constable and Marischal, and accompanied by the Chancellor, arose from the throne, and went out of the kirk by a door, prepared for the purpose, opening upon a stage. There he showed himself to the multitude assembled without, who clapped their hands, and shouted a long time, "God save the King!"

The King returning, sat down upon the throne, and delivered the sceptre to the Earl of Crawford, to be carried before him. Thereafter, in accordance with an ancient custom at Scottish Coronations, the Lord Lyon rehearsed the line of the Kings of Scotland up to Fergus the First.* The Lyon now called the Lords, one by one, who, kneeling and holding their hands between the

* At the Coronation of Alexander III., in the Abbey of Scone, on 3rd July, 1249, a tall, venerable Highland Sennachie or Bard, with long white hair flowing over his shoulders and a beard almost touching his feet, and with a scarlet mantle waving around him, advanced to the foot of the throne. After hailing the King in the Celtic language, he "repeated his genealogy, deducing it through fifty-six generations from Fergus, the first king of the Scots in Albyn. Not contented, however, with this heraldic feat, he next commenced from Fergus, and rapidly enumerated his descent from Heber Scot, the son of Gaithelglas, who was himself the son of Neol, King of the Athenians, and Scota, daughter of Pharaoh, King of Egypt."—Tytler's *Lives of Scottish Worthies*, vol. i., p. 9. Sir James Balfour records that he, on 25th December, 1650, "exhibit and producit" to the Parliament sitting at Perth, "ane old euident concerning the entailment of the croune by King Robert the Bruce to the race of the Stewarts." The House gave him their hearty thanks, and ordered "so noble ane euident to be put in the records of Parliament."—*Annales*, vol. iv., p. 219. This "evident" was the Act of Settlement of the Scottish Crown, which was passed by the Parliament at Cambuskenneth in 1326. It had been long lost, but was found in France by Sir James Balfour.

King's hands, swore their allegiance in the same terms as the people had done, and each of them kissed the King's left cheek. When these solemnities were performed, the Minister, standing up before the King, pronounced this blessing—

The Lord bless thee, and save thee : the Lord hear thee in the day of trouble ; the name of the God of Jacob defend thee ; the Lord send thee help from the Sanctuary, and strengthen thee out of Sion. Amen.

Once more ascending the pulpit, Mr. Douglas delivered another exhortation, addressed to King, nobles, and people, on their respective duties under the Covenant ; and concluding in these words :—

And now I will close up all in one word more to you, sir. You are the only covenanted King with God and His people in the world. Many have obstructed your entry in it ; now seeing the Lord hath brought you in over all these obstructions, only observe to do what is contained therein, and it shall prove a happy time for you and your house. And because you are tried in times of great difficulty, wherein small strength seems to remain with you in the eyes of the world, for recovering your just power and greatness ; therefore, take the counsel which David, when he was dying, gave to his son, Solomon : “ Be strong, and shew thyself a man, and keep the charge of the Lord thy God, to walk in His ways, and keep His commandments, that thou mayest prosper in all that thou doest, and whithersoever thou turnest thyself.”

After this exhortation, the minister closed the whole action with prayer ; and the 20th Psalm being sung, he dismissed the people with the blessing. Then did the King descend from the stage, with the crown upon his head, and receiving again the sceptre in his hand, returned with the whole train, in solemn manner, to his Palace, the sword being carried before him.

It would appear that Coronation medals of gold and silver were thrown among the people, as the regal procession returned to the Palace. So early as July, 1650, when the King was at Falkland, Sir James Balfour devised an impress for a coronation piece. The King's "face" was to be on one side with this "circumscription"—*Carol: Secundus, D. G. Scot: Angl: Fran: et Hyber: Rex, Fidei defensor, etc.*; and on the reverse, a Lion rampant, holding in his paw a thistle of three stems, with the motto, *Nemo me impune lacessit*; and below the Lion's foot on the limb, *Coronat: (Die Mensis)* A. 1650. On 18th December, the Parliament "ordered that the Master of the Conzie-house, if he cannot coin Coronation pieces of gold and silver, that he cast them in medals."

In reference to the chairs in which the King sat in the Kirk of Scone, the writer of the new Statistical Account of that parish (1843) has the following interesting statement:—"It is supposed that the seat of the Scone family, now removed to the parish church in New Scone was used at this (the Coronation) time, and that the chair on which Charles sat, either when hearing sermon, or when the crown was placed on his head, stood behind the bench in front of this seat. It is made of elegantly carved oak, having towards one end of the front of the canopy the arms of Lord Scone, with the motto '*Meliora spero*,' and beneath, the words 'DAVID LORD SKONE.' Towards the other end, in the corresponding place, carved also in the oak, is a coat of arms, with what seems to have been intended for the motto, '*Nec temere, nec timide*,' and beneath, 'ELIZABETH LADY SKONE,' with the date 1616. The star and crescent had formed part of the ornaments, and seem to have been highly

gilded. Lord Scone, as appears from the inscription, married Elizabeth Beaton, said to have been an ancient baron's daughter of Crich—*i.e.*, Creich, in Fifeshire."

The King remained at Scone only one day after the coronation. On Thursday, the Committee of Estates assembled in the Presence Chamber, but transacted no business; and the King conferred the honour of knight-hood on four gentlemen, the first of whom was the Laird of Gask, and the receipt which he obtained from the Lyon King shows the amount of fees paid by each of the newly-dubbed knights for their honours:—

I, Sir James Balfour of Kinnaird, Knight, Lyon King of Arms, for myself and in name of the remanent Heralds and Pursuivants, grants me by the tenor hereof to have received from the hands of Sir Lowrance Oliphant of Gask, Knight, the sum of ane hundred merks money Scots, and that for his fees due to me and the said Heralds and Pursuivants, for his honour and title of Knight conferred upon him by the King's Majesty, exoners and discharges him, and all others thereof whom it effeirs, by thir presents, written by Andro Lytilcolne, Ross Herald: I have subscribed the same with my hand at Perth, the tent day of Januar, 1651 years.

SE JA. BALFOUR, Lyon.*

The 100 merks amounted to £66 13s. 4d. Scots, or £5 11s. sterling. The King returned to Perth on Friday, when he made other two knights.

* *The Oliphants in Scotland.* Edited by Joseph Anderson. Edinburgh: 1879, p. 205.

IV.

My love he stood for his true king,
Till standing it could do nae mair :
The day is lost, and sae are we ;
Nae wonder mony a heart is sair.

Jacobite Song.

AFTER the coronation, the political ascendancy of Argyle and his party, the extreme section of the Covenanters, rapidly declined. The Royalists, availing themselves of the "Public Resolutions," crowded to the King's service, and speedily their numbers and influence gave them the preponderance in the national councils. Vigorously were the preparations for war pushed forward, though hampered by the covert antagonism of the faction who were opposed to the employment of Malignants upon any terms. On 10th January, 1651, the Committee of Estates issued an order that every thousand merks of valued rents in the counties should set forth a horse and man for the cavalry.

The most of February was spent by the King in visiting the fords of Forth, and various places both south and north. On the 13th of March, the Parliament assembled at Perth, and the royalist tendencies of the majority became apparent at the very opening—the Chancellor, Lord Loudon, being rejected as President, and Lord Burley chosen. All power departed from the hands of Argyle and his friends ; and on the last day of March, the Parliament, before it adjourned, conferred the supreme command of the army upon the King. "At the earnest solicitation of the Barons and Burghs,"

writes Balfour, "the King's Majesty takes upon him the conduct of the army, with these words, that he was confident there was none there that would distrust him, since he had as much at the stake as any other whatsoever had ; forby the oath of God which was on him as their King, yea, their Covenanted King ; and the preservation of his kingdom, friends, and his own person too, which was a natural bond likewise."

A mint-house was established at Dundee ; and the current value of the gold and silver coinage of the kingdom, including foreign silver money in circulation, was raised by Parliament. But when the Cromwellians gained the ascendancy, they cried it down to its former rates by proclamation, dated 29th December, 1651.

It is worthy of note that while King Charles kept royal state in Perth, he was one day presented with a live *Capercaillie*—a species of bird which, though once numerous in the Scottish Highlands, was now become exceedingly scarce. The King, who had never seen such a creature before, was pleased to accept of the gift "as a variety."

The Court removed from Perth to Stirling, where the army was mustered. There two traitors were discovered in the camp. Balfour tells that on 25th April, "Archibald Hamilton, brother to Robert Hamilton of Milburne, for giving daily intelligence to Oliver Cromwell and the sectarian enemy, was arraigned of high treason, and condemned to be hanged on a gallows in chains, so long as one bone could hang at another of him, which sentence was put to execution this day at Stirling." The other traitor was a young man named Meine, son of John Meine, merchant in Edinburgh, who having confessed, on apprehension in May, that he was "a spy and a giver

of intelligence to Cromwell," was condemned to be hung. But he "was pardoned of life by his Majesty, in respect his father put him out to General Leslie as a knave, and one corrupted by the English, and entreated him to cause apprehend him."

The Parliament sat down at Stirling, on 21st May. The King's birthday, the 29th, was celebrated with great rejoicing : and, says the contemporary author of *Monarchy Revived*, "the town of Dundee, to express their affections beyond all the rest, presented his Majesty with a rich tent, six field-pieces of ordnance, and advanced a brave regiment of horse for his service at their own charges." On the 30th May, Parliament rescinded the tyrannical Act of Classes, thereby adding fresh fuel to the flame which raged amongst a portion of the Covenanters, who, though half Scotland lay at the mercy of the Sectaries, never desisted from rending Kirk and country with their insensate violence. The Commission of Assembly had already expressed approval of the Public Resolutions ; and on 16th July, the General Assembly met at St. Andrews, and formally homologated the action of the Commission. This step was *protested* against by two and twenty ministers—three of whom the indignant Assembly deposed : and thenceforth the *Resolutioners* and *Protesters* ranged themselves in hostile camps.

The weather had been so inclement all the winter and spring that Cromwell's military operations were much circumscribed. Another cause which had kept the English inactive for some time was an illness which overtook their General, and which waxed so severe that rumours flew abroad that he was dead. This was happy news to the Scots. They became so fully persuaded of

his demise that when they sent in a trumpeter to Edinburgh bearing some message, he scoffingly told the Roundhead soldiers that they were concealing their commander's death, and he was only convinced of the contrary by being brought into the presence of the living Oliver himself. In fact, Cromwell was on the point of being superseded. The English Parliament hearing of his illness, proposed that he should lay down his command, and return home until his health was restored. But the invalid recovered. The Scottish army, commanded by the King, with General Leslie and the Duke of Hamilton under him, was concentrated at the Torwood, near Stirling, barring the passage by the fords of Forth ; and the broad waters of the Firth lay between the enemy and the province of Fife. As soon as Cromwell was in condition to take the field, he advanced upon the Torwood, endeavouring to draw the Scots from their vantage ground ; but they, having profited by the terrible lesson of Dunbar, calmly maintained their unassailable position, and he retired. His next resource was to venture the crossing of the Firth, with the design of forcing his enemy to meet him in the open field, where he did not doubt of victory. It was, therefore, of vital importance to the Scottish cause that the coast of Fife should be strongly guarded against him. On Sabbath, 6th July, the citizens of Perth, in compliance with a royal mandate, assembled in the South Inch, probably after hearing a stirring sermon, and selected a hundred men of their number to proceed to Burntisland to assist in watching the coast. The officers for this party were the following : Captain—Andrew Butter, Dean of Guild ; Lieutenant—John Davidson, Notary Public ; Ensign—James Dykes. But the watching of the coast

seems to have been very perfunctorily performed. By a masterly manœuvre, Cromwell succeeded, on 17th July, in passing over a small body of troops to the north side of the Firth. This detachment was led by Colonel Overton, who, in the teeth of opposition, made good his footing at the Queensferry. The invaders plundered Inverkeithing, and threw up entrenchments upon the crags. The same spot was famous for the descent of a party of English in 1317, during the absence of Bruce in Ireland ; but the enemy were speedily driven to their ships by the intrepidity of Bishop Sinclair of Dunkeld, who, being in the neighbourhood, put himself, spear in hand, at the head of a band of his countreymen, and led them to the charge. Sorely needed was the honest, sturdy, patriotic spirit of a Bishop Sinclair in the hour of Roundhead aggression !

The King was very indignant to hear of the landing, and ordered immediate attack. Before anything could be done, however, Cromwell managed to hurry over fresh troops under Lambert, raising the English strength at Inverkeithing to about 4000 men. A Scottish force of rather superior numbers was despatched thither from Stirling, the leaders being General Sir John Brown of Fordel, and General Holburne or Hepburn of Menstrie, the latter of whom was afterwards suspected of being traitorous to the cause. The Perth men at Burntisland left their post, and joined the Stirling party. On Sunday, 20th July, the Roundheads at Inverkeithing marched out of their entrenchments, and engaged the Scots on the braes between Pitrevie Castle and Balbougie House. The Royalists fought with great bravery, especially the Maclean clansmen, who were headed by their young Chief, Sir Hector of Duart. It was this conflict which

called forth the memorable instance of clannish attachment and self-devotion which Sir Walter Scott worked up with such thrilling effect in his picture of the Battle of the Inch. One of the Macleans, the foster-father of the Chief, was attended by his seven sons, all of whom perished in Sir Hector's defence—"the old man, whenever one of his boys fell, thrusting forward another to fill his place at the right hand of the beloved Chief, with the very words adopted in the novel—'Another for Hector!'" The Scots were finally defeated with heavy slaughter. They left 2000 men stretched on the field, among whom were the Chief of Maclean and 100 of his followers; and 600 prisoners were captured, one being General Brown, who was wounded and soon after died at Leith, of a fever. The General had been one of the members for Perthshire in the Parliament of 1649. This victory, by giving Cromwell access to Fife, altogether neutralized the advantages of the King's position at Stirling. The Battle of Inverkeithing was the turning-point of the campaign. Another association with Cromwell has been claimed by the locality—a tradition averring that his wife was born in the adjacent Castle of Rosyth!

After sharing in the sanguinary struggle on the braes near Inverkeithing, the survivors of the Perth company were led back to their native city by their centurions. The town had now need of all her sons; for doubtless the enemy's approach would be speedy, unless the King interposed to fight another battle in Fife. The King had a different plan in his head; and Cromwell, with no conception of the project which desperation was suggesting to Charles, crossed the Forth. The island of Inchgarvie and the town of Burntisland having surrendered

to him, he began his northward progress, on 30th July —traversed Fife, where no hand was lifted against him, and directed the heads of his columns towards St. Johnstoun, which had so recently been the royal headquarters.

The town, says the writer of Robert Blair's *Life*, was deemed "pretty strong, both by water and ditches." It was surrounded by a wall, outside of which on three sides ran the deep fosse filled by the waters of the lade from the Almond, and which probably was flooded daily, all round the circuit of the fortifications, by the tides of the Tay. The wall had towers at the angles, but it was old and unfitted to resist the battering train which Cromwell could bring to bear upon it, and there were only four pieces of artillery in the place. Nor was there a sufficient garrison, until the King ordered Lord Duffus (late Sir Alexander Sutherland, who was created a Baron in December, 1650) to hasten, at the head of 600 soldiers, to the relief of the city : and this party arrived on the evening of the 31st of July. But it would appear that the citizens and magistrates were by no means disposed to hold out. The gates were formally shut ; and next day (Friday, 1st August) Cromwell and his troops appeared before the walls. By the instigation of John Davidson, the Notary, empty carts were driven up and down the streets, accompanied with fife and drum, to deceive the enemy into the belief that cannon were being planted and everything getting ready for a vigorous defence. We cannot tell whether Oliver was deluded by this ruse ; but that he was ignorant of the presence of Duffus and his men seems evident from the summons which he now sent to the citizens, and which was to this effect : "that being informed that the town.

was void of a garrison, save the inhabitants and some few countrymen, he required them to deliver the same to him immediately ; promising to secure their persons from violence, and their goods from plunder." Contrary to expectation, the messenger was not admitted into the city, and his letter was rejected, the magistrates informing him "that they were not in a capacity to receive letters." Shortly afterwards, however, a message from the magistrates themselves was brought out to Cromwell, stating "that the King's Majesty had sent a very strong party, able to maintain the town ; that they were overpowered by Lord Duffus, as Governor ; but that they had obtained leave from him to make this communication shewing how they were unable to treat." Cromwell forthwith proceeded to bring the obstinate Governor to reason. He took measures to drain the water out of the fosse, and to batter the wall. It is said that one battery cannoned the town all night, and that some lives were lost on both sides. Defence became hopeless ; and, according to Blair's biographer, "the town's people, and strangers in it (Cromwell having summoned them to render, otherwise he would have it and put it all to the edge of the sword), did entreat Duffus to render the town." The white flag was hoisted on Saturday morning. Good conditions were offered to the besieged : the gates were thrown open, and Lord Duffus marched out with all the honours of war. Cromwell was received by the Provost, Andrew Grant, who conducted him and his chief officers to Davidson, the Notary's house, supposed to have been situated on the east side of the Watergate, where a repast was provided for the party. But the patriotic Notary warily kept out of the way.

An apocryphal story is told in the Notes to the *Muses Threnodie*, that when the English leaders had seated themselves in the Notary's mansion, Andrew Reid, the wealthy merchant, who had lent the 40,000 merks towards the Coronation expenses, "came in, and was introduced to Cromwell, to whom he presented the Bond granted by King Charles to him. Cromwell returned it, and said he had nothing to do with it, as he neither was Charles' heir nor executor. To whom Reid replied, 'If your excellency is neither heir nor executor, you are surely a vitious intromitter.' Cromwell, turning to the company, declared that he never had such a bold tale told him. Immediately after Cromwell's departure from Mr. Davidson's house, the side-wall fell down, and Davidson said he wished it had fallen a quarter of an hour sooner, though he, Samson-like, had perished in the ruins." Such is the story, which we give for what it is worth. The magazines of provisions, arms, and ammunition in the town, which had been collected for the use of the royal army, fell a prey to the Round-heads.

But Cromwell, on entering Perth, received confirmation of flying rumours which had reached his ears before the walls, occasioning him great disquietude. The King and his army had suddenly broken up their camp at Stirling, on 31st July, and taken a southward route. It was a rash and desperate enterprise, which the circumstances, disheartening as they were, did not really warrant. Cromwell's object in pushing his way through Fife to Perth was manifestly to cut off the royal supplies from the eastern and northern provinces, and such would have been the effect to a degree. But the King's resources were not utterly exhausted; the west and

south-west were clear of the enemy ; the clans could be trusted in defending the passes of their own rugged hills ; and Cromwell was in no condition to carry on a prolonged campaign, in a hostile country, with the dread of winter before him. A Fabian policy on the part of the Scots, varied with skilful desultory warfare, would have resulted in Cromwell's retreat. That course, however, found no favour. The King's inexperience in military matters yielded to the opinion of a dispirited Council that all was lost in Scotland, and that his last card should be played across the Border, where the English Cavaliers would flock in crowds to his standard. He could reach England sooner than Cromwell could ; and therefore it was expected, with some reason, that by forced marches the Scottish army would penetrate to the heart of the country, and overturn the Commonwealth Government before its General could come to its aid. The King and his advisers threw all upon the hazard of the die, and hurried south at the head of 18,000 men.

Cromwell, who thought to have compelled the King to offer battle, but never dreamed of an invasion of England, was not disconcerted. He took instant action, resolving to pursue the Scots with all speed. He arranged that General Monk, with 6000 men, should remain behind to carry out the conquest of Scotland ; and Colonel Overton was appointed Governor of Perth, with a garrison composed of two regiments (foot and horse), and four troops of dragoons—soldiers who fought on horseback or on foot as occasion required, a fact which explains the lines in *Hudibras* describing the Independents as

A mongrel kind of church-dragoons,
That serv'd for horse and foot at once.

Having thus settled matters—and apparently without spending Saturday night in Perth—Cromwell and his troops hastened through Fife; and from Leith, on Monday, 4th August, he sent a despatch to the Speaker of the House of Commons, detailing his movements:—

“In pursuance of the Providence of God, and that blessing lately given to your forces in Fife; and finding that the Enemy, being masters of the Pass at Stirling, could not be gotten out there except by hindering his provisions at St. Johnston; knowing that that would necessitate him to quit his Pass. Wherefore, leaving with Major-General Harrison about three thousand horse and dragoons, besides those which are with Colonel Rich, Colonel Saunders, and Colonel Barton, upon the Borders, we marched to St. Johnston, and lying one day before it, we had it surrendered to us.

“During which time we had some intelligence of the enemy’s marching southward; though with some contradictions, as if it had not been so. But doubting it might be true, we (leaving a garrison in St. Johnston, and sending Lieutenant General Monk with about five or six thousand to Stirling to reduce that place, and by it to put your affairs into a good posture in Scotland) marched, with all possible expedition, back again; and have passed our foot and many of our horse over the Firth this day; resolving to make what speed we can up to the enemy—who, in his desperation and fear, and out of inevitable necessity, is run to try what he can do this way.”

It was a full month until Cromwell came to blows with King Charles; but in that short space, the indefatigable Monk subjugated Scotland more thoroughly than ever the English had done before. Stirling Castle, which he first assailed, fell into his hands after the faintest show of resistance. He next turned his arms against Dundee, whose garrison, under a brave and patriotic Governor, and animated by the best spirit, offered a stubborn defence. But on 28th August, while

yet the siege lasted, a deplorable misfortune befel the Committee of Estates and several leading members of Assembly. They had met at Alyth with other noblemen and gentlemen to devise measures for the relief of Dundee, but, in the midst of their deliberations, they were surprised by a troop of Roundhead cavalry, and almost all taken prisoners! Amongst the reverend captives were Robert Douglas, who had officiated at the Coronation; James Sharp, afterwards the Archbishop; and John Rattray, minister of Alyth: the Kirk-Session book of which parish contains a characteristic notice of the seizure—"August the last day, 1651. This day no preaching: because our minister was taken on Thursday last by the Englishes, being the 28 of August, 1651." The whole of the prisoners were carried by sea to England. More disaster followed. Everything connected with Royalist affairs was ruined. On the 1st September, Dundee was stormed and taken, and Monk disgraced his victory by a brutal massacre in which many soldiers of Lord Duffus' regiment perished. At this time, writes Blair's biographer, "Scotland was at a very low ebb," so soon after the "high noon" vaunted by the imaginative Kirkton!—"none either shut up or left to resist the enemy, except a few with Balcarres and Sir Arthur Forbes, who retired to the far north. The only outward thing that did support the people of God was their hopes of the success and prosperity of the army in England."

Such hopes were soon dashed, and the cup of humiliation ran over. The Scottish army in its progress through England received no accession of strength. The presence of the King failed to rouse the Cavaliers to action, and his forces became reduced, by constant

desertions, from 18,000 to 11,000 men ; and finally he was hemmed in at Worcester by Cromwell's army of 15,000 soldiers. The decisive struggle took place on 3rd September—the great Roundhead's "fortunate day," the anniversary of Dunbar. Sallying out of the city, under the eye of their King, the Scots gave battle with the utmost gallantry. Fortune wavered ; but in the very crisis, when a charge of the Scottish cavalry might have given the victory to the King, David Leslie failed. He had the command of the horse, and absolutely declined to lead them to the fray, making himself an inglorious exemplar of "masterly inactivity." In his retreat northwards, he was overtaken by the Cromwellian pursuers. Even then he would not fight—perhaps pretending to see "the visible hand of God"—and tamely surrendered with all his troops ! No wonder that with such "laikness" in a commander, the brave Scottish army was overthrown.

The battle was Cromwell's "crowning mercy." In his despatch to the Speaker of Parliament, written on the same night, he said—"Indeed this hath been a very glorious mercy, and as stiff a contest, for four or five hours, as ever I have seen." The King fled—to pass through the marvellous concealment at Boscobel, before he escaped from England. About 2000 Scots fell, and probably about 6000 were taken prisoners. Oliver was so elated with this transcendent success, that he wanted on the spot to confer knighthood upon his Generals, Lambert and Fleetwood, and was with much difficulty dissuaded from exercising at his own hand what was the prerogative of Royalty alone.

The common prisoners at Worcester shared the like

shareful fate with those of Dunbar—the greater number being sold as slaves for the plantations !

The curtain had fallen upon a stage crowded with all the horrors of battle and massacre ; and when it rose again, on the last act of the tragedy, the gloomy scene disclosed Scotland discrowned, faint and bleeding, and chained to the chariot wheel of the conqueror.

Search history, ancient or modern, and scarce a parallel will be found to the egregious round of folly which crushed Scotland to the dust. When and where was the flower of any other people led forth like beasts to the slaughter by so overweening and self-righteous a faction as at Dunbar ? Nor was it one army only that perished. Two armies, each powerful enough to have successfully defended the national independence, had been destroyed, solely through the incompetency of their leaders. And this was the miserable end of Scotland's long struggle for the supremacy of her Covenants—that she and her Covenants should be trampled under foot of the Sectaries !

Scotland never saw another Coronation. Sixty-five years passed, and there seemed a chance of her again witnessing such a spectacle. The Chevalier de St. George, the nephew of King Charles, came to Scone, and his adherents proposed that he should be crowned ; but the advance of the royal troops scattered the insurgents and dissipated the vision of a Coronation.

V.—The Evelick Tragedy.

—A lamentable tale of things
Done long ago, and ill done.

John Ford—“The Lover’s Melancholy.”

You have bloodily approv’d the ancient truth,
That kindred commonly do worse agree
Than remote strangers.

John Webster’s “Duchess of Malfy.”

THE great house of Lindsay in Scotland is believed to have sprung from Anglo-Norman ancestry. Some members of the Norman family of Limesay settled in England under William the Conqueror; and soon after the Conquest, an offshoot of the same race, called Lindsay (which surname is but another orthographical form of Limesay, both signifying “Isle of Limetrees”) was established on the Scottish border. In 1116, a Baron, Walter de Lindsay, apparently the head of this Border branch, was a witness or juror in the *Inquisitio* made by David I., while Prince of Strathclyde, concerning the possessions and rights of the see of Glasgow. The seat of these Lindsays was at Ercildoune, in Roxburghshire; but thriving apace, they acquired extensive domains in

various provinces of Scotland. In process of time their feudal power, their high and active spirit, and their bold and chivalrous bearing in war, gave them weighty influence in national affairs. The oldest of their two peerages—the Earldom of Crawford—was conferred, 21st April, 1398, by Robert III., upon Sir David Lindsay of Glenesk, who had married that monarch's sister, Catharine, with whom he received the barony of Strathnairn in Inverness-shire. A gallant champion was Sir David. Eight years before he was ennobled, and when he was scarcely five-and-twenty, he repaired to the English Court to answer the challenge of Lord Welles, and in a passage of arms on London Bridge, overthrew the boastful Southron and granted him his life. About two years after this exploit, a party of the Clan Donnachie of Athol, led by a son of the Wolf of Badenoch, forayed Glenisla in Angus. Lindsay, gathering his friends and retainers, hastened to intercept the marauders, with whom he encountered, and a fierce conflict was fought. The Robertsons were discomfited with much slaughter; but in the midst of the melee, Sir David's life was placed in great jeopardy. Clad in panoply of mail, and mounted on his war-steed, he bore down all before him. Thrusting his spear at one of the reivers, he transfixed him, and pinned him to the ground; but the Gael writhed himself up against the lance, and swinging his ponderous broadsword, dealt Lindsay a blow on the leg, cutting through the greave or steel boot and penetrating to the bone! The wound was a dangerous one, but fortunately did not prove fatal. Earl David died in February, 1406-7, at the Castle of Finhaven, which he had built, and was buried in the family vault under the Church of the Greyfriars, within the Howff of Dundee.

He was succeeded by his eldest son, Alexander. On the second Earl's death in 1439, David, his son, became third Earl of Crawford.

This noble did not long enjoy his honours. When the proud and aspiring William, eighth Earl of Douglas, sought to dominate over James II. and the kingdom, the Earl of Crawford joined him in his confederacy. The King's friends, Archbishop Kennedy of St. Andrews and Sir William Crichton, endeavoured to disintegrate the Douglas party and win over as many of them as they could to the royal side, which so incensed Crawford that he determined to revenge his cause upon the Bishop. Supported by his kinsman, Alexander Ogilvie of Innerquharity, and others, the angry Earl made a sudden and sweeping raid upon the Primate's lands in Fife, spreading havoc and destruction with unsparing hand, and carrying away a prodigious quantity of spoil. This ruthless incursion took place in January 1444-5. The aggrieved Bishop immediately hurled the thunders of the Church against his enemy, excommunicating the Earl, with bell, book, and candle, for the space of a year. Loudly the Earl laughed the ecclesiastical fulmination to scorn; but ere the twelve months were out, the superstitious age was gratified with a catastrophe which seemed to mark the vengeance of heaven. The "light Lindsays" became involved in a new embroglio with the Church. The Abbot and Convent of Aberbrothock had appointed the Earl's eldest son, Alexander, Master of Crawford, an arrogant, fiery, and lawless youth, as the Justiciar or Civil Judge of the Regality of the Abbey. Soon after his appointment, the Master rendered himself burdensome to the Abbey by frequently repairing thither, and taking up his quarters within the hallowed pile, accom-

panied by disorderly bands of followers, who ate and drank the monastic beef and ale *ad libitum*. Oppressed by such a course of sorning, the Abbot remonstrated again and again, but to no purpose; and at length the Convent formally deprived their ravenous Justiciar of the office which he was abusing, and conferred it upon Alexander Ogilvie of Innerquharity, who seems to have had some hereditary claim to it. At once ensued a serious breach between the Lindsays and Ogilvies.

It was now the month of January, 1445-6, and at this perilous juncture the Earl of Crawford was spending the winter in Dundee, where he had a spacious mansion or "lodging" in the Nethergate, extending from that street southwards to the bank of the Tay, and forming the most imposing residence in the burgh. His son, acting for himself and taking no counsel with his father, resolved to hold his Justiciary with the strong hand, and straightway marched upon the Abbey, which he seized and garrisoned with his retainers, 1000 strong. The Ogilvies, on their part, flew to arms, and gathering their utmost strength, advanced towards Arbroath to expel the Lindsays. Sabbath, the 9th of January, saw the Master's forces drawn out in battle array in front of the Abbey, to meet their rivals. But just when the two bodies of armed men were about to engage in deadly strife, a rider on a foam-flecked steed suddenly galloped in between them. This was the Earl of Crawford, who having been informed in Dundee, that morning, of the impending feud, had sprung on horseback, and never drawn bridle till he reached the scene where kinsmen and friends were preparing to spill each other's blood. Eager to prevent hostilities he rode between the lines, entreating both parties to pause, The Lindsays knew

their lord, and probably most of the Ogilvies also recognised him ; but, as it chanced, one of the latter body, to whom the Earl was a stranger, resented his interposition by attacking him as he approached too closely. Before the Earl could defend himself, he was thrust through the mouth and neck with a spear, and flung from his saddle mortally wounded. His retainers, raising vengeful shouts, charged the Ogilvies with irresistible impetuosity, scattering them in every direction. When the day was won, the vanquished were found to have left 500 killed and wounded on the field, and among the latter was their chief, Innerquharity himself. The Lindsays, who had likewise suffered somewhat considerably, celebrated their victory by committing the conventual Church of Arbroath to the flames, and then quitted the fatal spot, carrying with them their Earl and their prisoner, Innerquharity, both of whom they conveyed to the Castle of Finhaven, where the Countess of Crawford was residing. On arrival there, it soon became manifest that the Earl could not survive many days, whatever might be the result with Ogilvie. When the Countess learned that there was no hope for her husband, a paroxysm of grief, rage, and despair seemed to transform her into a Fury. Flying to Innerquharity's sick chamber, she frantically pressed the pillows of the bed upon the helpless man's face, and smothered him, though he was her own kinsman and guiltless of the Earl's blood ! Such was a wife's revenge. Her husband, who was beyond all skill, lingered about a week in great agony—dying on the 17th of the month. It was observed by the people that he received his death-wound on that very day twelve-months on which he had harried the lands of St. Andrews. Besides, the ana-

thema of the Church still hung over the dead man, and sepulture in consecrated ground could not be given to his body until the excommunication was recalled. This, however, Bishop Kennedy did, on being humbly petitioned ; and the Earl was buried in Dundee. Innerquharity's body was consigned to his friends, who interred him in an aisle of the Church of Kinnell, where, until the demolition of that old edifice in 1855, this inscription, it is said, was to be seen—

While girss grows green and water rins clear,
Lat nane but Ogilvies lie here.

The slain Earl of Crawford left five sons, Alexander, Walter, William, John, and James. The eldest son, the Master, victor at the battle of Arbroath, succeeded his father in his lands and honours, and by a subsequent career of turmoil and violence, earned for himself the title of *Tiger Earl*, and also, from the length of his beard, that of *Earl Beardie*. But him and two of his brothers we now leave—our business being to point out that the third son, William, called of Lekoquhy, was the ancestor of the Lindsays of Evelick and Kilspindie, in the Carse of Gowrie.

William Lindsay of Lekoquhy died in 1468, without issue, and was succeeded by his immediate elder brother, Walter, who left a son, David. In 1497, David Lindsay, then called of Montago, renounced Lekoquhy, and afterwards the family was known by the territorial designation of Evelick. We find that John Lindsay of Evelick signed his marriage contract in 1551, and seems to have survived till the beginning of the following century. He left two sons, Patrick and Alexander.

The lands of Evelick and Montago lie in the parish

of Kilspindie, on the braes of the Carse of Gowrie—a region of great natural beauty and picturesqueness. The highest hill in the parish is that of Evelick, which rises to the height of 832 feet above the level of the sea. It is somewhat conical in shape, and is covered with verdure to the summit, which affords a wide and noble prospect of mountain, vale, and river—northwards the fair expanse of Strathmore, beyond which the blue Grampians bound the horizon, and southwards, the Carse below, spread out like a map, fringed by the broad, silvery flood of the Tay, across which appear the shores of Fife, and in the distance the Lomonds towering to the region of clouds. Evelick hill was chosen for a defensive post by the Caledonian tribes of yore, who constructed on its top a circular fortification—the remains of which are still to be seen—consisting of an outer and an inner wall of stone, enclosing about half an acre of ground, and surrounded by a deep fosse. Perhaps this was a place of strength when the land of the Carse was but a morass, flooded at every tide, or when the waters of the Tay flowed in to the very base of the hills. It is maintained that, in some pre-historic era, the Carse formed the channel of the Tay, which, after sweeping along the bottom of the Sidlaws, ran into its present course at Invergowrie; or that the river divided itself into two branches, one keeping the present channel, and the other skirting the hills—the intermediate space being a marsh, dotted with elevations. That, at a remote period, most part of the level ground of the Carse lay under water, seems undoubted. The higher portions still retain the name of *Inches* or Islands, thereby showing that they were once surrounded with water, and in fact the soil of which they are composed is

entirely different from that of the circumjacent plain. Staples and rings for ropes to secure boats have been found fastened in the rocks at the foot of the hills ; and there is a tradition that the parish of St. Madoes was at one time situated on the southern bank of the Tay ! As we have said, Evelick Hill was a Caledonian Fort ; but the old keep or castle of the Lindsays was built at a little distance south-east of the height, as if to command the pass leading between the Carse and Strathmore, and where, to this day, its roofless, mouldering walls court the attention of the wayfarer.

Patrick Lindsay, who is met with in records as “fiar of Evelick” in 1593, succeeded to the family inheritance on the death of his father, John. But in a short time afterwards he sold the Evelick estate to his brother, Alexander, and assumed to himself the territorial designation of Ardinbathy. This Alexander Lindsay rose to distinction, and occupies some space in the ecclesiastical history of Scotland. Being a younger brother, he was educated for the Presbyterian Church, and in 1591 was ordained minister of the Carse parish of St. Madoes. He seems to have been a man of unaffected piety and blameless life and conversation, attending zealously to his duties as a pastor. At the same time, however, he supported the views of James VI. regarding the introduction of a modified Episcopacy into the Church of Scotland, and the royal eye being attracted favourably towards him, he became a frequent and welcome visitor at Court, and was on the high road to preferment. In 1607 he was created Bishop of Dunkeld, and afterwards obtained, by purchase, the estate of Evelick. From year to year he continued to discharge the duties of his parish and his diocese with simple zeal and singleness of

heart, and kept on friendly terms with many of the opposing party in the Church.

When the stormy days of the Covenant came, all the Scottish Bishops were deposed; but the Bishop of Dunkeld, on making due submission to the high-handed General Assembly of 1638, was continued in his parish of St. Madoes. His days, however, were closing. Far advanced in age, he died before the end of the year 1639, leaving two sons, Alexander and William. The youngest attained to an independent position in 1625 by obtaining from a relative the lands called of Kilspindie, to which he got a Charter in the same year, and thus founded a branch of the Carse Lindsays. The eldest son, Alexander, succeeded to the Evelick estate. He survived the Restoration, and died in 1663, leaving a son, also named Alexander, who in 1666 was created a Baronet. Sir Alexander was twice married—his first union being in his father's lifetime, as recorded in Lamont's *Chronicle of Fife*: "1658, April 26.—The young Laird of Evelick, in the Brae of the Carse of Gowry, married Fotheringame, sister to the deceased the Laird of Powry. The marriage feast stood at Fowlls, the Mr. of Gray's house in Angus." Of this marriage came two sons, Thomas and Alexander, and two daughters, Elizabeth and Margaret. After his lady's decease, Sir Alexander was united to Rachel Kirkwood, the widow of a Mr. William Douglas, who has been designated "Advocate and Poet," and who left her with one son, James, a stripling of about the same age as Thomas, the heir of Evelick, and two or more daughters.

Thus we have brought upon the stage the step-brothers of Evelick, the story of whose dismal tragedy it is our purpose to rehearse.

It might be about the year 1680 when Sir Alexander Lindsay brought home his second lady to Evelick : and at that period the Carse of Gowrie was a bare, marshy, rudely cultivated stretch of country. Laborious, but ill-remunerating was the tillage of the wet clay soil ; the fields were unenclosed ; the brae-sides were left in much of their natural wildness ; the roads were narrow and execrably bad ; and the total absence of drainage made the ague a general and inveterate distemper among the people. But, eventually, a great change was wrought : and by the middle of the eighteenth century, agricultural improvement had taken immense strides in a district which was destined to become as the garden of Scotland. When Mr. Pennant passed through the Carse in 1772 he was struck with the luxuriance of its fertility : " It is covered with corn of every species," he wrote ; " peas and clover are in great perfection ; varied with orchards, plantations, and gentlemen's seats. The roads are planted on each side with trees, which, with the vast richness of the country, reminded me of Flanders ; and the extensive corn-lands, with the mud-houses," continued he, " immediately brought before me the idea of Northamptonshire. It agrees with the last also in finding during summer a great scarcity of water for common uses, and a great lack of fuel all winter : so that the following is become a proverbial saying (false, I trust, in the last instance) that the Carse of Gowrie wants water all summer, fire all winter, and the grace of God all the year through." *

As testified by this proverb, the Carse, notwithstanding its amelioration of condition, lay under some of that

* Pennant's *Tour in Scotland*, part ii., p. 120.

ill-natured popular reproach, which our forefathers were so fond of applying to certain places, classes, and families. William Lithgow, the traveller, who traversed the Carse, in 1627, said that "for its levelled face," he might term it "the garden of Angus, yea the diamond-plot of Tay," but added—"the inhabitants being only defective in affableness, and communicating courtesies of natural things, whence sprung this proverb, *The kearles* [carles or chuils] *of the Carse*."* The peasantry, especially, seem to have got themselves into bad odour, being held out as stolid, clownish, boorish. An anecdote is told of one of their Lairds who had been so tried with the stupidity of his dependants that in a gust of wrath he declared that he could make a more sensible race of servants out of the clay of his own fields! "Ah! luckless speech and bootless boast!" One night as he was riding home, his horse stumbled, and flung him head over heels into a clayhole, the depth of which gave him no chance of extrication without assistance, for which, therefore, he began bawling most lustily. The cry of distress reached the ears of a ploughman, homeward plodding his weary way, and brought him to the spot. A gleam of moonlight disclosed the familiar face at the bottom of the pit. The hind grinned, and to a renewed call for help, gave answer—"O! it's you, Laird? I see—you're making your men? Aweel, I'll no disturb you:" and away he went. *That* man was by no means a dolt. We doubt not that the idiosyncrasies of the peasantry were exaggerated, because misunderstood, by strangers; yet it cannot be overlooked that even so late as 1792, the

* Lithgow's *Nineteen Years' Travels*. London: 1682, p. 473.

Rev. Anthony Dow (afterwards D.D.), Minister of Kilspindie, in his Statistical Account of that parish, published same year, characterised the "common people in the Carse" as in general, "dull, obstinate, rude, and unmannerly; fond of dress to an extreme." The men-servants, he also says, "have no idea of submitting to any little economical employment at a winter fire-side. Bid them mend a corn-sack, and they will fly in your face."* The same faults, we daresay, were prevalent in other quarters among the same class; and at all events the old-fashioned, disagreeable manners and habits disappeared with the old-fashioned times, and the "Carles" are extinct like the Dodo.

A good deal of the superstitious lore which was in full vogue in the seventeenth century, lingered long about the Carse, and particularly with the denizens of the braes. Within living memory, the grey-haired sires of the hamlets told endless stories of Witches, Warlocks, Ghosts, Fairies, Brownies, Water Kelpies, and other supernaturalisms. Robbie Curr, the miller of Trotack Mill, who has lain at rest for many a year in the Kirk-yard of Rait, was known to a former generation as the chief of those inexhaustible narrators.

Fays, punkies, kelpies, a' he could explain them,
And even the very deils did brawly ken them.

One of his most surprising stories related to the last Mermaid seen in the Tay. This syren used to come to the banks of Dallela, and comb her yellow locks that glistened in the summer sunshine like hanks of gold, while she sang with "such dulcet and harmonious

* Sinclair's *Statistical Account of Scotland*, vol. iv., pp. 207, 208.

breath" as ravished every mortal ear that listened. Some of the country folks planned her capture, and by dint of a subtle stratagem effected their purpose, binding her securely, and carrying her off in triumph to the nearest farm-house. There they found nobody but a young maid-servant, who was busily engaged making "meal kail" for dinner. Leaving the mystic prisoner in the kitchen under the care of this lass, the men dispersed to bring in all the neighbourhood to behold the wonder. The Mermaid remained for some minutes mute, but when she observed the girl skimming the pot on the fire with a ladle, she broke out into singing:—

Skim the kail, bonny May—in the sea caves,
 Amang coral, and crystal, and pearls, I dwell;
 Where the firmament over my head's the blue waves,
 And the yellow sand forms the floor o' my cell :
 And in the sea grottoes is gowd yet unminted,
 And gey muckle lumps amang friends I may deal;
 When Mermaids deal favours they maunna be stinted—
 Skim the kail, bonny May, skim aye the kail.

Skim the kail, bonny May—O, they are husky !
 Fling by the skimmings for them that are hungry.
 I ken o' ane wha in silks fain wad busk ye:
 Skim the kail, bonny May, or I'll be angry.
 Skim the kail, bonny May—I'll wave on Willie ; *
 For pearl and coral beads he'll send the seal ;
 At gloaming you'll gather them where the stream's shallow ;
 Skim the kail, bonny May, skim aye the kail.

The bonny May, pleased with the sweet, wild, flattering strain, skimmed as she was bidden ; and marvellous to relate, at every skimming of the kail-pot, such was the

* Willie Water-wraith, the Kelpie.

power of enchantment that a knot of the Mermaid's bonds quietly unloosened of itself, until at last they were all gone, and then she shook off the idle cords, and sprang to the door, and swiftly floundered her way down to the river side. With a scream of exuberant delight she plunged into the sparkling flood, and as she glided away with the grace of a swan, while the breeze playfully scattered her shining tresses, she again raised her mellifluous voice in song :—

O, now I am as free
As the blue waves o' the sea,
And to other seas I'll hasten away ;
And the Mermaid that sang
Near Dallela braes sae lang,
Shall never mair come back to the Tay.

To sunny seas I'll swim,
And the flowery banks I'll climb,
And on coral rocks I'll sing all the day ;
Where the sands wi' gowd are glancing,
And at nicht the fire-flees dancing ;
And I'll never mair come back to the Tay.

The Mermaid aye gets friends
Where the summer never ends—
Through the waves wi' the Dolphin I'll stray :
And never, never mair
Will I kame my yellow hair,
On the bonny, bonny banks o' the Tay.

The valedictory flow of melody died on the face of the waters : and from that day to this the Tay has never been visited by a Syren of the deep. And now to our proper theme after so lengthened a digression.

Whether the knight of Evelick's second marriage was one of interest merely or of mutual affection, is out of

our knowledge, and matters nothing to the history. The lady's son, James Douglas, and his sisters, came with their mother to live in family with the Lindsays, and to all appearance were treated by their step-father and his children with the utmost kindness and cordiality. Soon, however, an evil passion arose to mar the peace of the household, and ultimately to overwhelm it with grief and disgrace. Unfortunately young Douglas gradually conceived an envious jealousy and ill-will towards Thomas, the heir of Evelick, who was of the same age, both lads being certainly under nineteen. Let us suppose that the former, as the only son of his parents, had been a petted, pampered, and spoiled child, growing up a froward, self-willed, obstinate boy, full of his own consequence, and impatient of control, which probably his mother, in her mistaken fondness, had rarely exercised over him with any degree of firmness. In this view we can come to understand the motive-springs of what followed. If, therefore, a vain and domineering nature had been fostered in him by parental indulgence, his feelings of foolish self-importance must have been daily wounded after Evelick became his home; for there he was confronted with rivals—at least with one especial rival, in the person of the heir, who was looked up to, we may well conclude, by all the servants as their future lord and master, and to whom they would necessarily pay incessant court, praising all he said and did, and doing him every little service in their power. Compared with Thomas Lindsay, his step-brother, the Advocate's son, though indeed born to comparative affluence—a sum of £2000 sterling, or rather more, awaited his attainment of majority—was regarded as nobody at all, if not as an interloper at Evelick. The

boy felt all this keenly as an overshadowing of himself, a lowering of every assumption to which he had been habituated, a positive degradation in the face of the little world in which he moved, and no effort of self-assertion could place him on the same level with Lindsay. So far as we can gather from the sad story, young Evelick personally gave no cause for those ungracious and embittered feelings. He seems to have been a quiet, simple-hearted, gentle boy, claiming no superiority, no ascendancy over his new friend and play-fellow, and altogether unconscious of the hatred which was brooding and deepening in the latter's breast. Perhaps James Douglas made complaint to his mother; and she would smile gravely, and stroke his head, and tell him that discontent with one's lot was sinful, that he ought to live cheerful and happy, for that everybody loved him, and the Lindsay family treated him as one of themselves. What could the lady think but that it was a boyish dream, which would soon wear away? She never dreamt of the intensity of hatred which was to quench itself in blood. But another conjecture would serve to throw the strongest light upon the secret workings of her son's mind. Say that incipient insanity was clouding his brain—or, to use a milder term, that hypochondria (to which, indeed, he was afterwards alleged to have been subject) gave him to look upon everything through a jaundiced, distorting medium,—and we can see how “trifles light as air” conspired to irritate his pride and kindle his fiercest passions.

Time brought round the summer of 1682. The Merry Monarch still sat on the throne; and the Persecution was still running its fell course in Scotland. Claverhouse and his troopers scoured the wilds of Gallo-

way. Nearly all the Champions of the Covenant had perished. Many a death-psalm had been sung in the Grassmarket. Richard Cameron had fallen sword in hand at Airmoss; and Donald Cargill had sealed his testimony at the Cross of Edinburgh. Their only successor was James Renwick, and he was a hunted wanderer. Desperate fanaticism had maddened into the blasphemies of the Bo'ness sailor and his "Sweet Singers of Israel." Nature herself seemed out of joint. In the beginning of the year, unearthly voices were heard, in the west of Scotland, at the dead of night, crying "Help! help!" Spectres and prodigies were seen in various parts of the country, and a deadly murrain broke out among the cattle in April.

But the month of June was come, decking the earth with flowers like a bride. On the evening of Tuesday, the 13th day, about seven o'clock, when the sun was approaching the western hills, the youthful step-brothers, Thomas Lindsay and James Douglas, who had been scampering for long hours upon the "braes o' the Carse," in the glorious weather, were slowly wending homewards through the Den of Pitroddie, which ends near Evelick Castle. A long, rugged pass, where the braes were shaggy with the golden broom and furze, where bees hummed and birds sang, and a clear stream, Pitroddie burn, shallow in the summer drought, trinkled on its way along the bottom.

The village of Pitroddie—or, as the name is generally pronounced in the district, Pitdroddie, that is *Pit-Druidie*, the graves or burying-place of the Druids—is in the parish of Kilspindie, and is dignified by the church and manse. The nomenclature of the adjacent country bears several associations with the Druidical

times. On a rising ground near the village a number of ancient graves were discovered, about eighty years ago : some below large cairns, others almost at the surface, with four stone-slabs forming the sides, top, and bottom of each "narrow enclosure," and not lying in any regular direction.

Lone and secluded was Pitroddie Den, far from the haunts of the madding crowd, yet it had its own traditional association with Scotland's warrior-days; for a cavern cleft in the rocks was said to have been the frequent retreat of Wallace during the season when he dwelt, as a refugee, at Kilspindie, after his slaughter of the son of the Governor of Dundee. The old legend was familiar to the youths, and now they perchance recalled it with a thrill of patriotic ardour, as they passed beneath the mouth of the solitary cave. But at that hour of beauty, when the welkin glowed with splendour, and the air breathed perfume, and the warblers among the green spray chanted their vespers, the demon of insensate jealousy and revenge possessed the soul of Lady Evelick's son, and wound him up to the commission of an atrocious deed, which he had already deliberately planned.

As the striplings wandered through the ravine, talking and jesting and playing pranks with each other, Douglas suddenly plucked from his pocket an iron-hafted clasp-knife, of the kind called *Jockteleg*, and opening the blade, struck it at his companion's breast. With a cry of surprise and pain, Lindsay staggered back, upbraiding his assailant's perilous folly. Folly? It was a settled purpose. Murder was in the boyish villain's heart, and he sprang forward, and stabbed his victim again and again with redoubled force. Five times the knife drank

blood ; and then the two grappled together, and struggled and fell, and rolled over each other down into the burn, where Douglas extricating himself from Lindsay's relaxing hold rose to his feet, and trampled and stamped with all his might upon the upturned throat and face of the prostrate boy. "On horror's head horrors accumulate !" Heedless of a weak faltering cry for pity, the young assassin heaving up a large stone from the water dashed out his hated rival's brains with it !

The deed was done. Douglas cleansed the smears from his knife and his guilty hands, and returned the weapon to his pocket. Scrambling out of the stream, which was now muddy with the tread of feet, he ascended the brae, faint and out of breath. He turned his head, and gazed for a moment at the mangled corpse, which was streaking the current with dark winding threads of gore. One glance, and then he ran—his dress torn, his hair dishevelled, his looks aghast, his eyes starting from their sockets—he ran home to the Castle, where his portentous appearance caused general consternation. He was questioned by one after another of the family as they gathered in wonder and affright around him. What dreadful thing had befallen ? What meant those blood-stains on his brow and dress ? What was become of his step-brother ? They implored him, in his momentary dumbness, to speak : and he spoke with gasping effort : Lindsay was dead—murdered—drowned in the burn of the glen. Search and they would find him where he had found and left him, cold and stiff ; but he, the speaker, was innocent, and knew nothing of it—no more than that he discovered the corpse lying in the stream, and tried to lift it, but the task was beyond his strength. And so saying, he threw himself upon a seat,

and lapsed into an imperturbable silence, as if overcome with emotion.

Leaving him there, the distracted father and some of his servants rushed to Pitroddie Den, and soon reached the dead body where it lay—brained, stabbed in sundry places, the face scarcely recognisable, after the trampling of iron-shod heels. Where was the murderer? Who was he? Footmarks deeply dented—torn locks of hair—the ground besprinkled with blood—all the evidences of the struggle were fresh about the spot; and as he scrutinised these, a ghastly suspicion flashed on Sir Alexander's mind. But he gave it no expression. The body was lifted and carried to the Castle, where the grief of the household soon burst all bounds. Sir Alexander anew interrogated his step-son; but that miserable being deigned no other explanation than what he had already given; not one word more. Entreaties, threats, everything was lost upon his stolid obduracy. In the very presence of the dead he maintained his incoherent falsehood; so he was taken and locked up in his chamber a prisoner, and men were sent out on the hopeless errand of tracking the mysterious assassin.

The sun-set's glories faded, and the shadows fell. How passed the hours of the short summer night over the culprit's head? Did slumber visit him, steeping his perturbed senses in oblivion? If he slept, was his sleep "full of sweet dreams, and health, and quiet breathing?" Or did he sit and watch the darkening of the summer gloaming, and the shining forth of Hesperus, liquidly-brilliant as a drop of molten gold in the blue serenity over-arching the dim western hills? But Hesperus, that bringeth "all good things," brought no balm, no consolation to soothe the anguish that reigned in the tower

of Evelick. Perchance the criminal sate with his fevered hands pressed on his throbbing brow, hearkening to the inconstant sounds of lamentation for the early lost—the voice of a bereaved father, vowing stern and swift retribution—and the wail of a mother, bowed down with a weight of sorrow and shame to the dust. The balmy night passed away, and the freshening breeze wafted the matin song of birds.

———The blushes of the morn appear,
And now she hangs her pearly store
(Robb'd from the eastern shore),
I' th' cowslip's bell, and rose's ear.

Sunlight brought the father, and his wife, and the weeping family to the locked chamber; and once again the assassin was solemnly adjured to speak the truth in its fulness. Yes! he would confess the whole truth: and he did confess it, and it was written down. “I have been over proud and rash all my life,” he said, “I was never yet firmly convinced there was a God or a devil, a heaven or a hell, till now. To tell the way how I did the deed my heart doth quake and head rives. As I was playing and kiltling at the head of the brae, I stabbed him with the only knife which I had”—and here he laid the fatal weapon before them—“and I tumbled down the brae with him to the burn; all the way he was struggling with me, while I fell upon him in the burn, and there he uttered one or two pītiful words. The Lord Omnipotent and all-seeing God learn my heart to repent.”

Could his family screen him from the deserts of his crime? Impossible. The deed had already blazed abroad, till all the Carse rang with it. His mother pled

not for him. Her husband was inexorable in his resolution that justice should be vindicated. No time was lost. The legal authorities at Perth were communicated with ; and on the very next day James Douglas was placed at the bar of the Sheriff Court of Perth, upon an indictment setting forth "that he did conceive a deadly hatred and evil will against Thomas Lindsay, son to Sir Alexander Lindsay of Evelick, with a settled resolution to bereave him of life ; he did upon the thretteen day of this instant month, being Tuesday last, about seven hours in the afternoon or thereby, as he was coming along the den of Pitroddie, in company with the said Thomas Lindsay, fall upon the said Thomas, and with his knife did give him five several stabs and wounds in his body, whereof one about the mouth of the stomach, and thereafter dragged him down the brae of the den to the burn, and there with his feet did trample upon the said Thomas lying in the water, and as yet he not being satisfied with all that cruelty which he did to the said Thomas, he did with a stone dash him upon the head, so that immediately the said Thomas died."

But when this charge was read, the young culprit firmly denied it all, declaring himself innocent !

Unabashedly the prisoner protested his innocence of the crime, explaining that he found his step-brother lying murdered in Pitroddie burn, and while endeavouring to lift him out of the water, slipped a foot, and fell upon and bruised him. As for his previous confession, he utterly disowned it, on the ground that when it was emitted, if he ever emitted it at all, his mind was disordered with grief and terror. Evidence to convict him being awanting, the trial was postponed, and he was retained in custody at Perth. His denial might have

induced the suspicion that he had been privately tampered with, probably by his mother ; but it was afterwards clearly seen that nothing of the kind had taken place.

Far from wishing to defeat the ends of justice, all the friends of the accused, without exception, were anxious that ample justice should be done. The Lindsay connections, indignant at the murder, resolved to pursue the assassin to the uttermost. He, on the other hand, for a number of days, obstinately adhered to his second story—although his mother and other parties pressed him to homologate his original Confession. A cousin of the murdered youth was the Laird of Balhaivie, and he came to Perth, and did his best, along with Lady Evelick, to bring the prisoner to a right frame of mind : but it seemed labour lost, and Balhaivie went his way. This was on the 25th of June. The Laird, however, had not been long gone, when a sudden change was wrought upon James Douglas, while his mother was still with him. He started from his seat, and with tears and sobs and loud cries, struck his hands frantically on the table, and invoked curses on the hour in which he had been tempted to retract. He now saw the gross error and sinfulness of his ways, and declared that by the grace of God he would re-affirm every particular of his Confession. Then producing his declaration of innocence, he tossed it from him, and called to his mother to put it in the fire, for it had been dictated by Satanic agency. The shame of his guilt, he said, was ready to drive him distracted, and he prayed heaven to keep him in his sound senses that he might atone for his crime and his falsehood. Lady Evelick, on reaching home,

apprised Balhaivie by letter of the change she had witnessed :—

In a very little after you went to the door, he rose up in such a passion of grief and sorrow, crying out in such bitterness, rapping on the table, and cursing the hour it entered into his head to recant, and promised through the Lord's strength, nothing should persuade him to do it again, but that he should constantly affirm the truth of his first declaration. He took out the declaration the devil had belied him to write, with so much sorrow and tears, as he took his head in his hand, and said he feared to distract, and prayed that the Lord would help him in his right judgment, that he might still adhere to truth. This was some consolation to my poor confounded mind ; but when I consider that deceitful bow the heart, and his frequent distemper, my spirit fails. . . . I desire you and the rest of your worthy friends not to put yourself to needless charges in the affair, for I, his nearest relation, being not only convinced justice should be satisfied, but am desirous nothing may occur to hinder. And as I know, though both he and I hath creditable friends, they will be ashamed to own me in this. The good God that best knows my pitiful case bear (me) up under this dismal lot, and give you and all Christians a heart to pray for him, and your poor afflicted servant.

RACHEL KIRKWOOD.

Before the Laird received this letter, he was personally informed of what had transpired by Sir Patrick Threipland of Fingask, in company with whom he returned to Perth, and saw the prisoner, and heard him adhere to his original confession. "I swear to outward appearance he seemed very serious, and I pray God Almighty continue him so," wrote Balhaivie in answer to Lady Evelick's communication, and thus proceeded—

My cousin, young Evelick, and all his relations, are very sensible of your ladyship's extraordinary and wonderful good carriage in an affair so astounding as this has been, and ye renew it in your letter, wherein ye desire they should not be put to needless trouble and charges in the affair. The truth is, madam, there is none of us but

are grieved to the bottom of our hearts that we should be obliged to pursue your son to death ; but we keep evil consciences if we suffer the murder of so near a relation to go unpunished ; and his life for the taking away of the other's is the least atonement that credit and conscience can allow. . . . His dying by the hand of justice will be the only way to expiate so great a crime, and likewise be a means to take away all occasion of grudge, which otherwise could not but continue in the family.

The course of justice was now clear. The young assassin was carried to Edinburgh, and committed to the Tolbooth, the "Heart of Midlothian." He was brought to trial, before the Court of Justiciary, on Tuesday, the 11th July—the public prosecutor, the King's Advocate, being the famous Sir George Mackenzie, whom Dryden styled "the noble wit of Scotland," and the Covenanters stigmatised as "Bluidy Mackenzie." The prisoner pled guilty, and was sentenced to be beheaded at the Cross on Friday, the 4th of August ensuing. Strange to say, no sooner was he removed from the bar to his cell in the Tolbooth, than he confessed a new crime, and the Judges being sent for, his confession was fully taken down in writing, and subscribed with his own hand, in presence of the witnesses. He said that while in Edinburgh, in the month of January that year (1682), he "put fire in Henry Graham's writing chamber, out of revenge, and that he had at first stolen some books there." It is not stated that he had had any business connection with Graham, though we may be allowed the conjecture that he had been sent to this writer's chamber, or office, for the purpose of qualifying himself to follow his father's profession of the law, and having stolen books, had been suspected and dismissed. It was known, however, that the incendiarism had caused the destruction of papers belonging to Sir David

Carnegie of Pittarow and to others of Graham's clients, besides damaging the property of a neighbour, an apothecary, named Patrick Cunningham.

The new confession was seized upon, from disreputable motives, by the Lord Advocate and the Marquis of Douglas. Wilful Fire-raising was then accounted *Treason* by the Law of Scotland, and Treason inferred the forfeiture of the guilty party's estate : so that this bad boy's delinquency would deprive his sisters of his succession. Fountainhall, in his *Decisions*, unfolds the shameless intrigue. The Marquis "had some of James's means in his hands:" and he and Mackenzie laying their heads together considered that if "wilful fire-raising and theft in a landed man were proven against" the prisoner, either of the two crimes was "sufficient in law to forfeit his estate, and take it from his sisters (he having £2000 sterling and more), by the Acts of Parliament making these two crimes statutory treason; and that the Marquis of Queensberry's favour might get the gitt of his forfeiture from his Majesty"—presumably to be halved or otherwise divided between the two intriguers, whose palms itched for the blood-money. In pursuance of this heartless and nefarious scheme, they obtained "from the Privy Council a reprieve for some days; which the youth himself was very desirous of, giving them ground to imagine he would confess it over again. Whereupon they gave him a new Indictment of treason upon the foresaid two grounds."

But "the best laid schemes o' mice and men gang aft a-gley." The schemers were reckoning without their host. To their infinite surprise and mortification, when the prisoner appeared before the Lords of Justiciary, "on the 9th and 10th days of August, he was so taught"

—that is, he had been so advised by his friends—“that all the pains the Earl of Perth, Justice General, could take on him, could not extort a confession from him judicially in presence of the assize, or that the former confession he had emitted in the Tolbooth and signed was his; for he would neither own nor deny it, but desired they might prove it.” His Advocates—the principal of whom was Sir David Thoirs—pled for delay in the procedure, “because he (the panel) had raised an exculpation” on the grounds of “his minority, not being yet nineteen years old,” and “his frequent lapses into melancholy and hypochondriac fits; which” exculpation “was to be executed at Perth, etc., and could not be in so short a time returned”—that is to say, evidence in support of the defence was then collecting at Perth and elsewhere.

A hair-splitting wrangle between the lawyers ensued, into the mazes of which we shall not enter. The King’s Advocate, sticking fast by the Confession as the sheet-anchor of his case, formally renounced all other proof: upon which Sir David Thoirs, founding on this renunciation, told the Jury that, in the circumstances, the Confession was of none avail, and they could hear no proof in regard to it “but what they saw and heard from the panel’s own mouth; and such a truth was this, that my Lord Advocate, in his printed ‘Criminals,’ pleads passionately for it, that a confession made to the Judges but not to the assize ought not to be regarded, else it would confound the office of Judges, by making them Witnesses, etc.” The “Criminals” referred to was Sir George Mackenzie’s work—*The Laws and Customs of Scotland in Matters Criminal*, Edinburgh, 1678, in which he thus lays down the principle:—

The Law doth only give credit to judicial confessions, and not to those that are extra judicial, which makes it stronger with us than elsewhere, because by a particular Act of Parliament, Ja. 6, Parl. 11, cap. 90, all probation should be led in presence of the Assize. . . . That is only called a judicial confession which is emitted before those who are Judges, and whilst they are sitting in judgment. (See Title xxiv. of Probation by confession.)

Sir George "now finding he had mistaken himself, raged and swore, and railed at Sir David Thoirs, and studied to irritate the Criminal Lords against him, as if he had harangued to reproach the Court." Nor was this all the "noble wit of Scotland" did. "He threatened the assizers with an assize of error, if they became like the seditious *ignoramus* Juries at London; and that he would infallibly prosecute them, and get them severely punished, as he had done lately with some cleansing assizers of Somervil of Urats, in 1681; and, if there were any need, he would yet lead the Clerk of the Court and his servant, John Anderson, and the Lords on the bench, as witnesses, that they all heard the panel confess the fact, and saw him subscribe that paper."

In spite of this brow-beating tirade, the Jury, who were mostly "merchants and writers in Edinburgh," took their own way. "They considered with themselves that though the evidences of his (the panel's) burning that chamber were great, so that few doubted of its truth, yet seeing he was to lay down his life on another account, viz., for his murder (so he was not to escape), and that all the design here was a covetous inhancing of his estate, and defrauding his poor sisters thereof; and that they, by the Advocate's oversight, had a latitude to find it not sufficiently proven to them;" therefore they did "by this verdict cleanse and assoilzie him from the

whole contents of the libel of treason." All honour to the honest men !

Then came an outburst of Mackenzie's wrath. "The Advocate stormed and swore he would have them all imprisoned (yet he never raised a Summons of Error against them), and fined and declared infamous ; and that the next assizers he should choose, should be Linlithgow's soldiers, to curb the fanatics. But," continues Lord Fountainhall, "thir transports of passion were smiled at, and were judged of no great service to his Majesty's Government. The Judges ordained the former sentence of death to be executed upon" the prisoner "for the murder, which was accordingly done."

It was done on Wednesday, the 16th of August, when the condemned youth was brought to Edinburgh Cross, where he died by the axe of the *Scottish Maiden*, a celebrated instrument of execution, which continued in use in Edinburgh till the year 1710, when the decapitation of criminals ceased in Scotland.

As has been stated, the fire in Graham's writing chamber caused damage to the effects of a neighbour, Patrick Cunningham, an apothecary. He died soon afterwards, and his widow, Esther Hepburn, obtained from the incendiary's mother, Lady Evelick, a "ticket," or bond, for 200 merks, to cover "the skaith the said Patrick suffered." Eventually payment was refused, and the widow brought her claim before the Court of Session. It was pled in defence that "the ticket is null, *being granted by a wife vestita vira.*" To this it was answered that "the husband must be liable, because he is subscribing as a witness "to his wife's signature, and it is a short ticket of six or seven lines only, and so he could not be ignorant of the substance of it." The case was

decided on 6th January, 1686, when "the Lords found his subscription as witness in this case equivalent to a consent."

The Evelick tragedy seems to have found commemoration in the following old ballad, which was first published in Robert Jamieson's *Popular Ballads and Songs* :—

THE TWA BROTHERS.

"O will ye gae to the school, brother ?
Or will ye gae to the ba ?
Or will ye gae to the wood a-warslin,
To see whilk o's maun fa' ?"

"It's I winna gae to the school, brother ;
Nor will I gae to the ba ;
But I will gae to the wood a-warslin ;
And it is you maun fa'."

They warsled up, they warsled down,
The lee-lang simmer's day ;
[And nane was near to part the strife
That raise atween them tway,
Till out and Willie's drawn his sword,
And did his brother slay].

"O lift me up upon your back,
Tak me to yon wall fair ;
You'll wash my bluidy wounds o'er and o'er,
And see an they'll bleed nae mair.

"And ye'll tak aff my Hollin sark,
And riv't frae gair to gair ;
Ye'll stap it in my bluidy wounds,
And see an they'll bleed nae mair."

He's liftit his brother upon his back,
Ta'en him to yon wall fair ;
He's washed his bluidy wounds o'er and o'er,
But ay they bled mair and mair.

And he's ta'en aff his Hollin sark,
And riven't frae gair to gair ;
He's stappit it in his bluidy wounds,
But ay they bled mair and mair.

" Ye'll lift me up upon your back,
Tak me to Kirkland fair ;
Ye'll mak my greaf baith braid and lang,
And lay my body there.

" Ye'll lay my arrows at my head,
My bent bow at my feet ;
My sword and buckler at my side,
As I was wont to sleep.

" Whan ye gang hame to your father,
He'll speer for his son John—
Say, ye left him into Kirkland fair,
Learning the school alone.

" Whan ye gang hame to my sister,
She'll speer for her brother John—
Ye'll say, ye left him in to Kirkland fair,
The green grass growin' aboon.

" Whan ye gang hame to my true love,
She'll speer for her lord John—
Ye'll say, ye left him in Kirkland fair,
But hame ye fear he'll never come."

He's gane hame to his father ;
He speered for his son John :
" It's I left him into Kirkland fair,
Learning the school alone."

And whan he gaed hame to his sister,
She speered for her brother John :
“ It’s I left him into Kirkland fair,
The green grass growin’ aboon.”

And whan he gaed hame to his true love,
She speered for her lord John :
“ It’s I left him into Kirkland fair,
And hame, I fear, he’ll never come.”

[“ Why bides he in Kirkland fair, Willie,
And winna come hame to me ? ”
“ His bed is the ground, but his sleep is sound,
And a better hame has he.”

“ O why is your cheek sae wan, Willie,
Sae red that wont to be ? ”
“ It’s I hae been huntin’ the deer and dae,
And that has wearied me.”]

“ But whaten bluid’s that on your sword, Willie ?
Sweet Willie tell to me.
“ O, it’s the bluid o’ my grey hounds ;
They wadna rin for me.”

“ It’s no the bluid o’ your hounds, Willie ;
Their bluid was never so red ;
But it is the bluid o’ my true love,
That ye hae slain indeed.”

That fair may wept, that fair may mourn’d,
That fair may mourn’d and pin’d ;
“ When every lady looks for her love,
I ne’er need look for mine.

“ O whaten a death will ye die, Willie ?
Now, Willie, tell to me.”
“ Ye’ll put me in a bottomless boat,
And I’ll gae sail the sea.”

“Whan will ye come hame again, Willie ?

Now, Willie, tell to me.”

“When the sun and moon dances on the green,

And that will never be.” *

Alexander, the surviving son of the Evelick family, succeeded his father in the lands and baronetcy. He had two sisters, Elizabeth and Margaret ; and the tradition of the Carse of Gowrie has asserted that the eldest

* Several versions of this ballad are extant in the published collections. Most of the editors take exception to the import of the first four lines within brackets, which Mr. Jamieson “inserted to fill up chasms,” as, in their opinion, unwarrantably turning an accidental homicide into a deliberate murder ; and therefore they favour a reading to this effect—

“They warsled up, they warsled down,

Till John fell to the ground ;

A dirk fell out of William’s pouch,

And gave John a deadly wound,”

which, it is fancied, makes the story applicable to a fatal mischance that befel in the noble family of Somerville, or in that of Stair. But Professor Aytoun, in his *Ballads of Scotland*, while adopting the latter reading, considers the conjecture about the Somerville event as strained. “The circumstances,” he says, “are essentially different ; and, moreover, the wording of the ballad shows that it belongs to the north country, whereas the Somervilles were a Lothian family, and the accident referred to happened at the Drum, a few miles south of Edinburgh.” Now, the mention of “Kirkland” in all the versions of the ballad may reasonably be held to indicate somewhat of the locality of its story. A small estate called by that name lies in the parish of St. Martin’s, Perthshire, which parish marches partly with Kilspindie on the north-west. The mansion-house of Kirkland was built by the Abbot of Holyrood, and afterwards became the parish manse. Thus Kirkland and Evelick are in near neighbourhood. But curiously enough, none of the editors of the ballad seem to have heard of the Evelick tragedy.

was the "Lizzie Lindsay" of the old Scottish ballad, who eloped with Sir Donald Macdonald, the young Laird of Kingcaussie. The only ground on which the tradition rested was the identity of name ; but this goes for nothing, as the matrimonial engagements of both the Evelick ladies are well known, and neither of them married a Macdonald. The ballad of "Lizzie Lindsay" first appeared in Jamieson's *Popular Ballads and Songs* (Edin. 1806), from a copy "transmitted to the Editor by Professor Scott, of Aberdeen, as it was taken down from the recitation of an old woman," and was then "very popular in the north-east of Scotland." Other versions appeared : and we may mention that a copy of Jamieson's collection, which we purchased in May, 1862, at the sale of the fine library belonging to the Allens of Errol, was found to contain a MS. copy, in a lady's hand, of a new but imperfect version of "Lizzie Lindsay" taken, as stated on the paper, from recitation in 1828. The MS., consisting of a sheet of letter-paper, was folded and deposited in the second volume, betwixt pages 148 and 149, at the beginning of "Lizzie Lindsay." It seems rather a suggestive coincidence that a new rendering of the ballad should have been obtained apparently in the Carse of Gowrie, and found in a Carse library : but, after all, it indicates no more than the prevalence in that district of the tradition identifying the heroine with the Evelick lady. This copy is appended for the sake of preservation :—

LEEZIE LINDSAY.

"Will you go to the Highlands wi' me, Leezie?
Will you go to the Highlands wi' me?
Will you go to the Highlands wi' me, Leezie?
And you shall have curds and green whey."

Then up spoke Leezie's mother—

A gallant old lady was she—

“If you talk so to my daughter,

High hanged I'll gar ye be.”

And then she changed her coaties,

And then she changed them to green—

And then she changed her coaties,

Young Donald to gang wi'.

But the roads grew broad and broad,

And the mountains grew high and high,

Which caused many a tear

To fall from Leezie's eye.

But the roads grew broad and broad,

And the mountains grew high and high,

Till they came to the Glens of Glen Koustie,

And out there came an old Die [a dairy-woman].

“You're welcome here, Sir Donald,

And your fair Ladie.”

“Oh ! call me not Sir Donald,

But call me Donald, your son,

And I will call you mother,

Till this long night be done.”

These words were spoken in Gaelic,

And Leezie did no them ken—

These words were spoken in Gaelic,

And then plain English began.

“Oh ! make her a supper, mother,

Oh ! make her a supper wi' me—

Oh ! make her a supper, mother,

Of curds and green whey.”

“ You must get up, Leezie Lindsay,
You
You must get up, Leezie Lindsay,
For it is far on the day.”

And then they went out together,
And a braw new bigging saw she,
And out cam’ Lord Macdonald,
And his gay companie.

“ You’re welcome here, Leezie Lindsay,
The flower of a’ your kin ;
And you shall be Lady Macdonald,
Since ye have got Donald, my son.”

From recitn. Sept. 1828.

Such is the fragment as it came into our hands, and, rude as it is, it would have delighted the soul of a Jonathan Oldbuck in the ballad gathering days.

Elizabeth of Evelick gave her hand to an Angus gentleman, John Ochterlony of the Guynd, who, about 1682, wrote an “ Account of the Shire of Forfar,” for the use of Sir Robert Sibbald, which is printed in the second volume of the *Spottiswoode Miscellany*. Her sister, Margaret, married Arbuthnott of Findowrie, and on his death entered anew into the bonds of matrimony with Pierson of Balmadies, to whom she bore seven sons. Her epitaph in the family burial place of Balmadies reads thus :—

Mrs. Margaret Lindsay daughter to Sir Alexander Lindsay of Evelick first married to the Laird of Findourie and thereafter to James Pierson of Balmadies to whom she bore seven sons she died about the 56 year of her age on the 11 or 12 of May 1714 and here interred on the 18 a virtuous and religious lady *Me mento mori.*

The first Baronet of Evelick seems to have survived till shortly after the Revolution of 1688. We cannot tell how he stood affected towards that change of

Government. Sir Alexander, the second Baronet, had a son of his own name, who was third Baronet of Evelick, and married Amelia Murray, sister of the great Earl of Mansfield. Of this union came three sons and two daughters. The sons attained high rank in their country's military and naval services. The eldest, Sir David, rose to be a General; the second, William, a gallant officer, died in the East Indies; and John, the third, was made an Admiral, and found his last resting-place in Westminster Abbey. One of the sisters became the wife of Allan Ramsay, son of the poet, and the other the wife of Alexander Murray, afterwards Lord Henderland. General Sir David Lindsay had two sons and two daughters. The eldest son, William, who was Ambassador to Venice and Governor of Tobago, died before his father, unmarried, leaving the succession to his brother, Charles, who attained it on the General's decease. Sir Charles was a distinguished naval officer, and was present at the battle of St. Vincent; but unfortunately he was drowned by the swamping of a boat at Demerara, in 1799. He had never been married. He was the last Baronet, and the last of the direct male line of the house of Evelick; and the succession passed to the female line in the person of the eldest sister, Charlotte Amelia, wife of the Right Hon. Thomas Steele. Their son inherited Evelick. He was united to a daughter of the Duke of Manchester; and the eldest son of this marriage, Major-General Sir Thomas M. Steele, became Laird of Evelick.*

* Lord Lindsay's *Lives of the Lindsays*, vol. i., pp. 436, 439; Jervise's *Land of the Lindsays*, pp. 301, 333; 2nd Edition, p. 380; Chambers' *Domestic Annals of Scotland*, vol. ii., p. 439; Lord Fountainhall's *Decision of the Lords of Council and Session*, vol. i., pp. 187, 189, 389.

VI.—The Raid of Clan Donnachie.

The tartan plaid it is waving wide,
The pibroch's sounding up the glen,
And I will tarry at Auchnacarry,
To see my Donald and a' his men.

—Hogg's *Jacobite Relics*.

Widow and Saxon maid
Long shall lament our raid,
Think of Clan-Alpine with fear and with woe.

—*Lady of the Lake*.

ACCORDING to early Highland history, which must be regarded as largely intermixed with tradition, the tribe of the Duncansons or Robertsons of Athol became first known as a separate Clan, under the distinguishing patronymic of *Clann Donnachaidh*, after a martial exploit which they performed in Glenisla, in the year 1391.

As to the ancestry of the sept, there is much dubiety among genealogists. The Robertsons themselves have invariably claimed to descend from the Macdonalds, Lords of the Isles ; and, as has been acutely observed by a literary clansman, their claim is entitled to fair weight when we consider that descent from an original

and independent stock would seem more preferable than from another clan. At the same time it is certain that several of the progenitors of the Robertsons appear in records with the designation *De Atholia*—of Athol ; which fact proves an intimate connection with the race of the old Celtic Earls of Athol ; but this connection was probably formed by matrimonial ties. The recognised head or founder of the Clan was a portly warrior, named Duncan the Fat, whose prowess furnished the theme of many a legendary story. By one set of authorities he is asserted to have been a son of Angus Mhor, Lord of the Isles ; and, on the other hand, an Athol parentage has been assigned to him ; but this clashing of genealogical lines may be avoided by placing the descent from Clan Donald some degrees farther back. From the dim glimpses afforded by ancient muniments, it is found that the father of Duncan the Fat was Andrew de Atholia, whose father, again, was called Gilmur, and held the office of Seneschal of the Earldom of Athol, about 1200. Andrew, the Seneschal's son, married the heiress of Athol, she being the daughter of Ewan, son of Conan, son of Henry, the fourth and last Celtic Earl of Athol. It is stated that Conan, who was the second son of Earl Henry, received from his father, in the reign of King Alexander II., the lands of Glenerochy, afterwards denominated Strowan, a rendering of the Gaelic term *Struthan*, signifying streamy, or the region of streams ; which lands were part of the inheritance of Conan's grand-daughter.

This account of the Athol connection, imperfect and hazy though it be, obtains confirmation from another direction. "It appears from the Chartulary of Inchaffray," says Mr. Skene, in his *Highlanders of Scotland*,

“that Ewen, the son of Conan, had married Maria, one of the two daughters and co-heiresses of Duncan, the son of Convalt, a powerful baron in Stratherne. Duncan’s possessions consisted of Tullibardine and Finach in Stratherne, and of Lethendy in Gowrie ; his eldest daughter, Muriel, married Malise, the Seneschal of Stratherne, and their daughter, Ada, carried her mother’s inheritance, consisting of the half of Tullibardine, the lands of Buchanty, etc., to William de Moravia, predecessors of the Murrays of Tullibardine. The other half of these baronies went to Ewen MacConan, who married Maria, Duncan’s youngest daughter. Now, we find that in 1284, this Maria granted her half of Tullibardine to her niece, Ada, and William Moray, her spouse ; and in 1443, we find Robert Duncanson, the undoubted ancestor of the Robertsons of Strowan, designating himself *Dominus de Fynach*, and granting his lands of Finach, in Stratherne, *consanguineo suo Davidi de Moravia Domino de Tullibardine*. The descent of the family from Ewen, the son of Conan, the second son of Henry, Earl of Athol, the daughters of whose eldest son carried the earldom into Lowland families, is thus put beyond all doubt, and the Strowan Robertsons thus appear to be the male heirs of the old earls of Athol.” By this view of the matter the Athol lands were divided into two equal parts, on the death of Earl Henry ; so that while the eastern portion went to the female line, the western or more inaccessible portion was divided among the male descendants of the old Earls, in accordance with the law of gavelkind, as prevailing in the Scottish Highlands.

The argument in favour of the conjectured descent from the Macdonalds, has been thus stated by Mr. Smibert, in

his *History of the Highland Clans*: "There unquestionably exists a doubt about the derivation of the Robertsons from the Macdonalds, but the fact of their acquiring large possessions at so early a period, in Athol, seems to be decisive of their descent from some great and strong house among the Western Celts. And what house was more able to endow its scions than that of Somerled, whose heads were the kings of the West of Scotland? The Somerled or Macdonald power, moreover, extended into Athol beyond all question; and indeed it may be said to have been almost the sole power which could have so planted there one of its offshoots, apart from the regal authority."

These are the two sides of the dispute. But "who shall decide, when doctors disagree?" Such a question as that of the origin of the Robertsons we do not profess to elucidate and set at rest—only we may repeat the supposition that the Athol geneology does not preclude the Macdonald descent, which may have taken place at an earlier period.

The Falstaff of Athol—*Donnachadh Reamhair*—Duncan the Fat, succeeded his father in an extensive heritage, comprehending first, the lands which were subsequently erected into the barony of Strowan; secondly, the barony of Disher and Toyer, a large portion of the present Breadalbane; and thirdly, Dallmagarth, called *Adulia*, in the old Chartularies, a property which had once pertained to the Celtic Earls of Athol. Duncan was a hero in his day—a Baron who stoutly held his own, and made his power felt and feared all around him. He was twice married. His first wife was the daughter of a personage called Callum *Rua*, or Malcolm, the Red-haired, who from being also

called *Leannach* was perhaps related to the house of Lennox, and who is further believed to have been the individual styled in the *Ragman Roll* (1296), Malcolm de Glendochart. By this marriage, Duncan acquired various lands in Athol, including a portion of Rannoch : and we know that the Robertsons were in possession of the larger island in Loch Rannoch, during the wars of King Robert Bruce, as it was there they imprisoned the traitorous Lord of Lorn, after taking him prisoner ; but he speedily escaped out of their hands.

Not more devoted adherents than the Clan Donnachie had Bruce throughout his protracted struggle for Scottish independence. They fought at Bannockburn ; and their pibroch, which was played before them when they were on the march to that glorious field, is still preserved, among the ancient bagpipe music of Scotland, under the title of *Theachd Clann Donnachaidh*—"The Coming of Clan Donnachie." On the same march, according to tradition, the famous charm-stone of the Clan, the *Clach-na-Bralach*—the Stone of the Standard, a talisman of good fortune, was found adhering to the lower end of their flagstaff, on its being pulled up from the ground in which it had been pitched during a night halt. It is still carefully preserved, and has been thus described by Mr. David Robertson of Glasgow, in his *Brief Account of the Clan Donnachaidh* :—"In form it is a ball of clear rock chrystal, in appearance like glass, two inches in diameter, and has been supposed to be a Druidical beryl. It may, however, quite as probably be one of those chrystal balls which have from time to time been unearthed from ancient graves in this country, and which were said to be the abodes of good or evil spirits, or amulets against sickness or the sword."

A son, Robert de Atholia, was born of Duncan's first union ; and the mother dying, the widower entered again into the bonds of wedlock—the bride now being the co-heiress of Ewan de Insulis, thane of Glentilt, with the east half of that possession as her portion. There were three sons of this second marriage. 1, Patrick de Atholia, the head of the Lude family ; 2, Thomas de Atholia ; and 3, Gibbon, who had no descendants.* Duncan the Fat died about 1355, and was succeeded by his eldest son, Robert, of whom came the Strowan or main line of Clan Donnachie. Robert married a daughter and co-heiress of Sir John Stirling of Gleneck. This lady brought with her a dowry of part of her father's lands. She had an only child—a daughter, Jane, who inherited her mother's portion and was united to one of the Menzieses of Weem. The sister of Robert's wife was Catherine Stirling, who wedded Sir Alexander Lindsay of Glenesk, and was the mother of the famous Sir David Lindsay, who is known as the first Earl of Crawford, which dignity he attained in 1398. Robert de Atholia married a second wife—the co-heiress of Fordell, by whom he had a son, Duncan.

About the year 1391 the Lindsays of Angus and the Duncansons of Athol (or Robertsons), related as they were by the marriages of the two daughters of Sir John Stirling, fell into dispute touching some of the Glenesk lands, which the Duncansons maintained were wrongly withheld from them. In consequence, "there fell a

* It may be noted here that the following entry occurs in Robertson's *Index of Missing Charters* (page 141, No. 48), under the reign of King Robert III. : "Carta to Thomas Duncanson of Athol, of Strowane, and ratification of all his lands, with a taillie." This King's reign extended from 1390 to 1406.

high great discord," says Winton the Chronicler, between Sir David Lindsay, lord of Glenesk, and the Athol men. A proposal was made at first that all questions should be discussed and arranged amicably at a conference of the parties, and a day was set for this purpose. But the meeting never took place owing to a change of mind on the part of the Duncansons, who refused to attend. Lindsay punctually kept the appointment, and seeing no sign of the Highlanders, sent a spy across the country to endeavour to find out the cause of their absence and what they were about. The man took his way, but did not return, having probably been detected and slain; and Sir David unfortunately conceived no suspicion that his emissary's delay in coming back with intelligence boded evil. It boded much evil. The Duncansons, discarding pacific courses, had resolved to seek their rights with their claymores in their hands.

The temper of the times was such as to encourage the wildest deeds of violence. The condition of the Highlands was pre-eminently lawless: clan warred with clan, avenging the feuds of centuries; the "Wolf of Badenoch" had perpetrated his worst excesses; and the whole country was filled with ravage and slaughter—a barbarous state of things which eventually the Government sought to amend by the memorable battle on the North Inch of Perth. It so happened that a natural son of the "Wolf," Duncan Stewart by name, who followed faithfully in his father's blood-dyed footsteps, was now in Athol among the Robertsons, and it is supposed that he being made acquainted with their alleged grievances, suggested the plan of a foray on the lands of the Lindsays in Angus. Away with conferences!—worthy but of cowards and idiots. The Lindsays' domains lay

inviting attack : the road was open : sound the gathering, and down upon Glenesk, where abundant booty would reward the daring of true men. Yet Sir David of Glenesk, albeit young, only six-and-twenty, was no ordinary antagonist to provoke. He was brave and intrepid, trained in military exercises, and the very pink and soul of chivalry. Two years previously he repaired to London with a brilliant retinue, in fulfilment of a knightly challenge, and there fought a battle *a l'outrance* with a noble Southron, Lord Welles, on London Bridge, in presence of Richard II., overthrowing him at the third course "flatlings down upon the grass." After spending three months at the gay court of England, Sir David, as Wyntoun says—

With honour and with honesty,
Returned syne in his land hame,
Great honour eked till his fame :

and in thankfulness for his victory he founded a chantry, of five priests, or vicars choral, "Within Our Lady Kirk at Dundee." Such was the redoubted warrior whom the Duncansons were about to convert into a deadly enemy. But they seemed not to fear the issue. They called a muster, and 300 armed men, armed with claymore and target, ranged themselves in array under the command of Thomas, Patrick, and Gibbon, the three younger sons of Duncan the Fat, who were accompanied by the Wolf's cub as an auxiliary, the greediest of all, perchance, for plunder and massacre.

No bird of the air carried warning to the Lindsays of the storm which was ready to burst upon them. The banner, with its staff surmounted by the talismanic chrystal ball, was flung to the breezes of Athol, and the war-cloud rolled across the Highland deserts, and soon

darkened the borders of Angus. The marauders spread alarm far and wide, wielding the torch and the brand, and seizing much spoil without meeting with the slightest resistance, the suddenness of the attack seemingly paralysing the energies of the country. Resistance, however, was not long delayed. The Sheriff of Angus, Sir Walter Ogilvie of Auchterhouse, was then at Kettins, and promptly took measures to repel the inroad. Sir Walter, who is pourtrayed by Winton, as "that good knight, stout and manful, bold and wight," summoned Sir Patrick Gray, and the nearest friends. Sir David Lindsay, little wotting of the attack, had gone to Dundee, and was holding state in his noble mansion between the Nethergate and the Tay, when the tidings were brought him by a swift-footed messenger. Instantly he took horse, and hastened to the scene of danger.

Still, the utmost force which the Sheriff could hurriedly collect to stem the tide of the inroad barely counted sixty horsemen ; but they were all clad in mail, and they were the flower of the Lowland chivalry, whose dashing charge the half-naked savages from the hills were not expected to resist even though vastly superior in numbers. The smoke of the devastation wrought by the forayers served to direct the Sheriff's route, and he came in sight of them in Glenisla, about eleven miles north from the Castle of Glasclune, the ruins of which still crown a height on the banks of the Ericht. The approach of the horsemen was viewed by the Gael without a tremor ; they gathered together, and with light hearts made ready to try conclusions in fight. The cavalry came up, in their glittering panoply, and with lances in rest—each man, we may fancy, confident and boastful, as Roland Cheyne on another day—

My horse shall ride through ranks sae rude,
As through the moorland fern,—
Then ne'er let the gentle Norman blude
Grow cauld for Highland kerne.

But the kerne firmly faced their advancing foes, and at the critical moment forestalled their attack by a sudden and impetuous onset. Whilst the war-pipes blew the loudest notes of battle, the mountaineers cast aside their plaids, and raising a wild halloo, rushed forward in headlong charge—dashed aside the levelled spears with their targets, and hewed at horses and men with the claymore. The clangour of sword and mail-coat sounded like the anvils of the Cyclops in full operation. The Lowland ranks were soon pierced, broken, and thrown into inextricable confusion—wounded steeds careering madly, and others cumbering the ground. The riders, despite helm and hauberk, went down one by one under the force of the ponderous broadswords. The Athol men fought with unabated courage—recking not of death—but bent on the destruction of the over-mastered enemy, whose leaders were suffering severely. The Sheriff was slain, with his half-brother, Leighton, Laird of Ulishaven; and there also fell Young, the Laird of Ochterlony, and the Lairds of Cairncross, Guthrie, and Forfar. Sir Patrick Gray was seriously wounded; so was Sir David Lindsay, who more narrowly escaped with his life. Strongly mounted and fully armed, he galloped hither and thither through the press, dealing death with every thrust of his lance; till at length, when he had transfixed one of the Highlanders, and borne him down to the ground, to which the long spear-point protruding through his back pinned him, the wounded savage, in the last paroxysm of fury, writhed himself up on the lance, and

swinging his claymore around his head, struck Sir David a terrible blow on the leg, cutting through the stirrup-leather, and through the steel-boot to the bone. Having delivered this stroke, the desperate swordsman sank slowly down and expired with the lance in his body. Sir David's limb bled profusely, and he would have been slain outright had not some friends, espying his perilous condition, seized his bridle, and forcibly led him out of the fray. With his retreat, the murderous contest closed—the few surviving horsemen riding off with all speed, and the victorious sons of Duncan were left in possession of the field of battle.

Old Wyntoun has recounted the danger and escape of Sir David Lindsay with much power and minuteness of detail :—

While they were in that press fechtand,
The Lindsay gude was at their hand,
And of thae Scots here and there
Some he slew, some woundit sair.
Sae, on his horse he sitting than
Through the body he strak a man
With his spear down to the erde ;
That man held fast his ain swerd
Untill his nieve, and up-thrawing
He pressed him, notwithstanding
That he was pressed to the erde ;
And with a swake of his swerd,
Through the stirrup-leather and the boot,
Three ply or four above the foot,
He struck the Lindsay to the bane.
That man nae stroke gave but that ane,
For there he died ; yet nevertheless
That gude Lord there wounded was,
And had died there that day
Had not his men had him away,
Against his will out of that press.

This remarkable incident, illustrative of the ferocious hardihood of an Athol warrior of olden times, has been transferred by Sir Walter Scott, in his *Lord of the Isles*, to the field of Bannockburn. The passage will be fresh in every reader's recollection. When the English host broke into flight, the brave de Argentine having bidden farewell to his sovereign turned his steed once more against the Scots.

Again he faced the battle-field,—
Wildly they fly, are slain, or yield.
“Now then,” he said, and couch'd his spear,
“My course is run, the goal is near ;
One effort more, one brave career,
Must close this race of mine.”
Then in his stirrups rising high,
He shouted loud his battle-cry,
“Saint James for Argentine !”
And, of the bold pursuers, four
The gallant knight from saddle bore ;
But not unharm'd—a lance's point
Has found his breast-plate's loosen'd joint,
An axe has razed his crest ;
Yet still on Colonsay's fierce lord,
Who press'd the chase with gory sword,
He rode with spear in rest,
And through his bloody tartans bored,
And through his gallant breast.
Nail'd to the earth, the mountaineer
Yet writhed him up against the spear,
And swung his broadsword round !
Stirrup, steel-boot, and cuish gave way,
Beneath that blow's tremendous sway,
The blood gushed from the wound ;
And the grim Lord of Colonsay
Hath turn'd him on the ground,
And laugh'd in death-pang, that his blade
The mortal thrust so well repaid.

Familiar as is this scene to the admirers of Scott, not many probably were aware that it owed its existence to a real occurrence in the conflict of Glenisla.

The Robertsons returned in triumph to their own country, with all their spoils and trophies. The bloody defeat which they had inflicted upon the Lindsays and Ogilvies rung through the realm: and the weak executive, under Robert III., fulminated denunciations against the victors, who were now, for the first time, designated as an independent Highland Clan—the *Clan Donnachie*. The Wolf of Badenoch's son, Duncan Stewart, was specially marked out for legal vengeance, as the Raid was attributed to his instigation. Soon after he quitted Athol, he and a few of his lawless companions were seized and brought before Sir James Crawford, the Justiciary of Scotland, who meted out to them all the irrevocable doom of death. But the Duncansons, among their hills and moors, were not so easily to be reached by the hand of the law; and therefore the Lindsays determined on a counter foray, in full strength, to requite that of Glenesk and Glenisla. A force was collected and marched into Athol, with every confidence of breaking the power of the sons of Duncan. But they, being timeously informed of the expedition, flew to arms—mustered every man—solicited aid from all their neighbours—and were joined by several allies, including a contingent of the *Clan Quhale*, the sept so soon to become famous at the Battle of the North Inch. The Lindsays crossed the confines of Athol, and had penetrated as far as Glenbrierachan, when the Duncansons appeared. The hostile bands rushed to the encounter, and a hard-contested struggle ensued; but again the

Highland claymore prevailed over the Angus spear, and the Lindsays were driven off the field with heavy loss.

This new disaster still further incensed the Scottish Government, and in 1392, the Parliament, using the only available weapon, passed an Act of forfeiture against the leaders of the Duncansons. But it had no effect; and the Lindsays never ventured upon a third trial of strength with foes who had proved themselves so formidable.

Such is the story of the Raid of Clan Donnachie, as we have gathered it from authentic records, ancient and modern.*

The Clan did not regain the royal favour until after the assassination of James I. in the Dominican Monastery at Perth. Sir Robert Graham, the chief murderer, and the old Earl of Athol, with several of their associates, fled to the north, hoping to conceal themselves in the Athol country. But they were hunted up and down like wild beasts, and in the end Graham and Athol were tracked and seized by Robert *Ruadh* (red-haired) Duncanson, Chief of the Clan Donnachie, and John *Gorm* (blue-eyed) Stewart of Garth. Graham was taken on the banks of a small stream flowing near Blair Athol, hence called "Graham's Burn." An old Gaelic poem of the period, said to have been composed by Gilchrist Taylor, and included in *The Dean of Lismore's Book*, seems to refer to the arrest of the traitors, whom it

* Colonel James A. Robertson's *Earldom of Atholl*; and his *Historical Proofs on the Highlanders*, pp. 281, 311; Browne's *History of the Highlands and the Highland Clans*, vol. iv., p. 460; Lord Lindsay's *Lives of the Lindsays*, vol. i., p. 93; Tytler's *History of Scotland*, vol. ii., p. 3; *Scots Acts*, vol. i., p. 17.

denounces as "a pack of cruel hounds," "horrid brutes," etc., while it praises "Robert's son of clustering locks," and "John Stewart of the bounding steeds."

The Chiefs of Garth and Clan Donnachie were remembered for their good services. The Chamberlain of Athol's Account from 1436 to 1438 (in the *Exchequer Rolls of Scotland*, vol. v.), contains a payment to John Stewart Gorm of £66 13s. 4d., for his part in the arrest. It was later until Robert Ruadh got his reward. At Edinburgh, on 15th August, 1451, James II. granted a charter to Robert Duncanson of Strowan, creating his lands of Strowan and others into a barony, for the love and favour borne towards him by the King for the arrest of Robert Graham, and his zeal and labour about the capture (*Register of the Great Seal of Scotland: 1424-1513*). Part of the armorial bearings of Clan Donnachie—a savage man in chains lying beneath the escutcheon—is conjectured to have been conferred in commemoration of the same service.

It appears to have been from the time of Robert Ruadh, who was the great grandson of Duncan the Fat, and the second Robert known of the line, that the Duncansons began to be called Robertsons, though the Clan name has continued without change to this day.

VII.—The Finlarig Christening.

————— Green Finlarig's shades,
Where chiefs of ancient fame repose—
The Campbells' treasured dead !
And where, amid the solitude
And silence of coeval wood,
Their pristine home may yet be seen,
But sad 'mid summer's bowers of green.
The night owl now usurps the hall,
The ivy creeps along the wall ;
And slowly sinking, stone by stone,
Which fall unheard, unseen, alone,
Its crumbling tower steals away
With imperceptible decay.

David Miller—"The Tay."

FINLARIG is the plain or field of Fingal ; and near Killin, the King of Morven, the father of Ossian, is traditionally said to lie buried—his grave being marked by a large boulder, a stone of remembrance. At Finlarig is the burial-place of the Campbells of Glenurchy, the chiefs of Breadalbane ; and there, too, they had their first baronial stronghold on the shores of Loch Tay. After the revolutions of three centuries and more the sepulchral vault of Finlarig is still the mausoleum of the family ; but the Castle of Finlarig was deserted

long ago, and is now a hoary ruin, open to every wind that blows, and the abode of the owl and the bat. At the head of Loch Tay, on the northern bank, and close to the village of Killin, stands Finlarig in its desolation, half-hidden amidst the thick, spreading foliage of old oaks, chestnuts, walnuts, and ashes, some of which mayhap saw the castle in its prime. The whole scene, as viewed from the impending heights, is magnificent—its chief feature being the glorious expanse of the broad, far-stretching lake, mirroring the heavens, and bordered by mountains which tower to the region of clouds and storms—impressing the mind with the sublime majesty and the eternal unchangeableness of the mighty forms of Nature, and awakening associations of the past—the wild days of the clans, their feuds and conflicts, the joys of the chase, and the spirit that inspired those memorials of the olden bards, who disclose a world and a society so different from our own, yet harmonizing with what everywhere fills our eye as we gaze abroad on the panorama of Highland loch, strath, hill, and glen.

The lands and castle of Finlarig, when first emerging into historic notice, appear as the possession of Sir John Drummond of Stobhall, brother of Annabella, the Queen of Robert III. Sir John succeeded his brother, Sir Malcolm, Earl of Mar, in default of male issue, in 1400; and afterwards the favour of James I. conferred on him the Bailiery of the Abthantry of Dull, an office of high consideration. Finlarig remained with the Drummonds till towards the close of the fifteenth century, when it passed into the hands of Sir Duncan Campbell of Glenurchy, the second chief of the Breadalbane branch of the Campbells, who succeeded his father, Sir Colin, the Knight of Rhodes, in 1480. Sir Duncan's aim was the

territorial aggrandisement of his house, in furtherance of which he applied himself to the acquisition of lands all round Loch Tay. In 1492 he received a royal charter to Taymouth, which had been held by the Macgregors; and on 22nd April, 1503, he obtained another royal charter to Finlarig, which he had purchased from the Drummonds. Says the record known as the *Black Book of Taymouth*:—"He conquestit the heritable title of the barony of Finlarig." He fell at Flodden, and was succeeded by his eldest son, Sir Colin. Probably the castle of Finlarig had been much neglected by its Drummond lords; but it now became the chief seat of the Campbells; and not long after Sir Colin's accession, he built a chapel there, and dedicated it to the Blessed Virgin, as a place of sepulture for himself and his descendants. As the *Black Book of Taymouth* has it:—"He biggit the Chapel of Finlarig to be ane burial for himself and his posteritie." Accordingly this "burial" has ever since been devoted to its original purpose.

Sir Colin paid the debt of nature in 1523, and was laid in Finlarig. He left three sons—Duncan, John, and Colin—all of whom inherited in turn their father's estate. Colin, the youngest son, came to the noble heirship in 1550. He was among the first of the Scottish barons who espoused the doctrines of the Reformation; and he sat in the Parliament of 1560 which confirmed them by statute. The Taymouth annalist describes him as "ane great Justiciar all his time, through the whilk he restrained the deadly feud of the Clangregor, ane long space. And besides that, he caused execute to the death mony notable lymnars. He beheaded the laird of Macgregor himself at Kenmore, in presence of the Earl of Athole, the Justice-

Clerk, and sundry other noblemen." One of the "notable lymmars," or Highland caterans, whom he executed to the death, was the famous marauder, Duncan Laideus. Sir Colin "conquessit the superiority of M'Nab, his haill lands." He also erected a castle at Balloch (now Taymouth), part of which is incorporated with the present stately edifice. Balloch was built, says tradition, on the spot where its founder first heard the blackbird sing as he passed down the glen. But in 1583, the "great justiciar" was removed from the busy scene of his judicial and architectural labours, and in his stead was installed his son, Duncan, familiarly known in Highland history as *Donacha dhu na curich*—"Black Duncan of the Cowl"—from the cowl or hood which he usually wore, and in which he is drawn in his portrait at Taymouth.

The knight of the cowl left his mark upon his times. He was a man of great energy, and he turned his mind to the improvement of the vast estates over which he was privileged to bear sway for the long period of eight-and-forty years. Many beneficial changes were effected by him in Breadalbane. He built castles and bridges, he planted trees, he raised embankments against floods, and in many ways ameliorated the condition of the lands, while also endeavouring to elevate the social condition of the people. He found the castle of Finlarig verging on decay, and he resolved to re-edify it. As the *Black Book* says, he "in his time biggit the Castle of Finlarig, pit, and office-houses thereof; repaired the chapel thereof, and decored the same inwardly with pavement and painting; for the bigging and workmanship whereof he gave ten thousand pounds." He likewise "caused make parks in Balloch, Finlarg, Glenlochy,

and Glenurchy, and caused sow acorns and seed of fir therein, and planted in the same young fir and birch." Moreover, he revived and enforced the old Scottish law whereby tenants and cottars were bound to plant a few trees about their homesteads—his Baron Court directing that "every holder of a merkland" should plant five trees; "every cottar three—either oak, ash, or plane—to be planted out, when ready to take up, in the most commodious places of their occupation. The lord's gardener to furnish the trees for two pennies the piece." Black Duncan seems to have been the first to introduce the fallow deer into Scotland. He was also famed for the breeding of horses; and his inveterate enemies, the Macgregors, knew that they could not injure him more deeply than when they killed forty of his brood mares at one swoop in Glenurchy, together with a fine horse which had been sent from London as a present from Prince Henry, in exchange for a gift of eagles. In endeavouring to reform the habits of his dependants, his Baron Court decreed "that no man shall in any public-house drink more than a chopin of ale with his neighbour's wife, in the absence of her husband, upon the penalty of ten pounds, and sitting twenty-four hours in the stocks, toties quoties."

The chief resided alternately at Balloch and Finlarig Castles. His Household Books contain minute details of the modes and cost of living of his family. During the year 1590, the oatmeal (baked and unbaked) consumed was 364 bolls, excluding the "horse-corn;" malt, 207 bolls; beeves, 90; sheep, 200; swine, 20; salmon (mostly from the western rivers), 424; herrings, 1500; hard fish, 30 dozen; cheese, 325 stone; butter, 49 stone; loaves of wheaten bread, 26 dozen; wheat

flour, $3\frac{1}{2}$ bolls ; with claret and white wine, and other luxuries. In these books were also entered the names of distinguished visitors, as, for example :—At Finlarig, “beginning the 28 of June, 1590, and spendit till the 5 of July ; the Laird and Lady present, my Lord Bothwell, the Earl Menteith, my Lord Inchaffray, with sundry other strangers.” The Inventories of Plenissing, dating from 1598, throw much light on the furniture, etc., of a baronial seat in the heart of the Highlands. But some of the items are of dark import. There were in Finlarig, sundry chains and fetters and shackles ; a headsman’s axe ; and four instruments of torture—the “*Glaslawis*, charged with four shackles,” in which we may recognise the *Caschielarwis* or *Caspicawis*, signifying “warm hose,” used for compelling prisoners to confess : the leg being placed in an iron frame, and put in a furnace, and as the iron heated, the questions were asked. And at Finlarig, too, or at Balloch, was treasured the curious heirloom, “ane stone of the quantity of half a hen’s egg set in silver, being flat at the one end and round at the other like a pear, whilk Sir Colin Campbell, first Laird of Glenurchy, wore when he fought at the Rhodes against the Turks, he being one of the Knights of the Rhodes.”

The merits of Black Duncan were recognised and acknowledged by Charles I., who appointed him Sheriff of Perthshire for life, and created him a Baronet of Nova Scotia. When the King was mustering soldiers for the war with France, he wrote him a letter desiring that he should send forward a contingent of the Highland archers whose fame had reached the English court :—

To our trusty and well-beloved, the Laird of Glenurchy.

CHARLES R. Trusty and well-beloved, we greet you well. Whereas we have given warrant unto Alexander M'Naughton, gentleman of our privy chamber in ordinary, for levying two hundred bowmen in that our kingdom, for our service in the war wherein we are engaged with France; and being informed that the persons in those high countries are ordinarily good bowmen, we are hereby well pleased to desire you to use your best means to cause levy such a number of them for our said servant as possibly you can, he performing such conditions with them as are usual in the like cases, which we will take as a special pleasure unto us, whereof we will not be unmindful when any occasion shall offer whereby we may express our respect unto you. So we bid you farewell. From our court at Windsor, the 12 of August, 1627.

It is to be presumed that the best of the Breadalbane bowmen were selected and marched to the south.

The old Chieftain's days came to an end in June, 1631, and of his two sons, Colin and Robert, the eldest succeeded him. Sir Colin followed in his father's footsteps as a great planter, and builder, and general improver. The father had supplied the King with a party of archers; and the son was requested to despatch a body of armed Highlanders to Perth on the occasion of the royal visit to that city in July, 1633. Thus the Privy Council wrote :—

To our right traist friend the Laird of Glenurchy.

After our very hearty commendations. Whereas the King's Majesty is most solicit and desirous that the time of his being at Perth there may be a show and muster made of Highlandmen, in their country habit and best order, for the better performance whereof these are to entreat and desire you to single out and convene a number of your friends, followers, and dependers, men personable for stature, and in their best array and equipage, with trews, bows, dorlochs, and others their ordinary weapons and furniture, and to send them to the said burgh of Perth upon

Monday the eight day of July next, whereby his Majesty may receive contentment, the country credit, and yourself thanks ; and so looking for your precise keeping of this diet in manner foresaid, we commit you to God. From Holyroodhouse, the xxix day of June, 1633. Your very good friends,

G. KINNOUL, Cancellarius.

MORTON

WIGTOUN, TULLIBARDIN, LAUDERDALE, MELUILL.

We can well conceive how gladly the clans would gather "all plaided and plumed in their tartan array," for the royal fete in the Fair City. Sir Colin seems to have had a peaceful time, so that he was able to pursue his rural improvements unchecked, while he also evinced himself as fond of classical learning, and as a patron of the fine arts. He engaged painters to decorate the walls of Taymouth with pictures. It is noticed that he "bestowed and gave to ane German painter, whom he entertained in his house eight month," while at work, "the sum of ane thousand pounds." Who this foreigner was is not known ; but we find that Sir Colin employed the pencil of George Jameson, the celebrated Scottish limner, many of whose works are to be seen in Taymouth Castle. Writing from Edinburgh, on 23rd June, 1635, Jameson signifies his willingness to execute sixteen pictures for Sir Colin, and states his scale of prices. "I will very willingly serve your worship," he says, "and my price shall be but the ordinary, since the measure is just the ordinary. The price whilk every one pays to me, above the waist, is twenty merks, I furnishing claith and colours ; but if I furnish ane double gilt muller [picture frame], then it is twenty pounds. Thus I deal with all alike ; but I am more bound to have ane great care of your worship's service, because of my good payment for my last employment" :

and he adds—"If I begin the pictures in July, I will have the sixteen ready about the last of September."

In the same year, Sir Colin, we are told, "gave unto George Jameson, painter in Edinbnrgh, for King Robert and King David Bruces, Kings of Scotland, and Charles I., King of Great Britain, France, and Ireland, and his Majesty's Queen, and for nine more of the Queens of Scotland, their portraits, whilk are set up in the hall of Balloch, the sum of twa hundred threescore pounds. Mair, the said Sir Colin gave to the said George Jameson for the knight of Lochow's lady, and the first Countess of Argyle, and six of the ladies of Glenurchy, their portraits, whilk are set up in the chalmer of dais of Balloch, ane hundred fourscore pounds." So much appreciation of art was certainly uncommon in the Highlands of Perthshire at the era referred to. Sir Colin died on 6th September, 1640, aged sixty-three. He had no children, and the patrimony, therefore, went to Robert, his brother. The Inventory which was made up after Sir Colin's demise, specifies "ane pair of little organs in the Chapel of Finlarg, and ane pair harpsichords in Balloch."

Sir Robert thus became Chief of Breadalbane at the beginning of the Civil War; and as he took the Covenanting side in the struggle, his lands suffered severe ravage from the clans who supported Montrose. "In the year of God 1644 and 1645," says the old record, "the Laird of Glenurchy his whole lands and estate, betwixt the ford of Lyon and point of Lismore, were burnt and destroyed by James Graham, sometime Earl of Montrose, and Alexander M'Donald, son to Coll M'Donald in Colesne, with their associates. The tenants' whole cattle were taken away by their enemies ;

and their corns, houses, plenishing, and whole insight were burnt ; and the said Sir Robert pressing to get the inhabitants repaired, wairit £48 Scots upon the bigging of every cuple in his lands, and also wairit seed-corns, upon his own charges, to the most of his inhabitants ;" the total loss caused by the ravage exceeding the sum of 1,200,009 merks.

But the traditionary story, which we are now to relate, has no connection with the Civil War ; it concerns a feud which arose from the predatory habits of the Gael, who

Never thought it wrang to ca' a prey,
Their auld forbears practis'd it a' their days,
And ne'er the worse for that did set their claise.

Before Sir Robert became Chieftain, one of his children was baptised at Finlarig, and a numerous company of the Campbell race and their friends and allies assembled to witness the holy rite, and to hold festival on the auspicious occasion. Doubtless before being brought to the baptismal font, the child of Breadalbane secretly underwent certain rude spells of Celtic superstition. It would be jealously watched lest the Fairies should steal it away and substitute a changeling. Experienced crones and wise men of the glens would put the infant in a basket containing bread and cheese, and covered with a white linen cloth, and swing it three times round the fire, exclaiming—" Let the flame consume thee now or never ! " This was considered a preservative against the power of Satan ; but it was not the less an evident vestige of that passing of children through the fire to Moloch, which was one of the gross abominations of ancient heathenism. Then came the Christian

ceremonial, and the child was admitted into the bosom of the visible Church. The feast was spread in the great hall of the Castle, and the guests sat down round an ample board. They pledged in flowing bowls the roofter of Finlarig, the lord and his lady, and their youngest born. But while the cup circulated, and Highland songs were sung, and Seannachies chanted the roll of Campbell genealogy, and universal joy and revelry prevailed,—the bagpipes pealing on the green where the humbler dependants danced merrily,—tidings reached the Castle which suddenly changed the glad spirit and aspect of the scene. In ran a breathless clansman with the news that a band of the Macdonalds of Keppoch had made a foray on the lands of some of Sir Robert's friends, and, having driven off a large booty of cattle and other spoil, were just then crossing the neighbouring hill of Stroneclachan, fearing no danger, as they knew how the Campbells were engaged at Finlarig.

The guests started to their feet and grasped their weapons, clamouring to be led out against the marauders. Confident in their own strength and prowess, they sallied forth in swift pursuit. Up the hill they sped, and soon came in sight of the Macdonalds, who halted to give battle. The Campbells rushed on with heedless bravery ; but being overtaken with the chase, and considerably outnumbered, they were driven back in confusion, and at last forced to retreat, leaving twenty cadets of the family dead on the fatal field. When the fugitives returned to Finlarig with the miserable tale of their defeat, Sir Robert despatched messengers to bring in all the power that could be speedily raised on the shores of Loch Tay. A strong force being raised, the

Knight placed himself at the head of his clansmen, and led the way to vengeance. Time had been lost ; but the Macdonalds were ultimately overtaken on the braes of Glenurchy, where they were attacked with vigour and success. After an obstinate conflict, they were put to flight, their chieftain's brother was slain, and the whole *creach* fell into the hands of the victors, who came back in triumph.

Such is the legend of the Finlarig Christening, which was related to Mr. Pennant, when he visited Loch Tay-side, and which he deemed worthy of insertion in his *Tour*. Speaking of the Castle, he says that "tradition is loud in report of the hospitality of the place, and blends it with tales of gallantry ; one of festivity, terminating in blood and slaughter." But upon what foundation in fact the story may have arisen we cannot determine ; although we are disposed to think that it partly relates, in a confused way, to what is known as the "Chase of Ranefray," in which Sir Robert, during his father's lifetime, inflicted a severe defeat on those irreconcilable foes of his house, the Clan Gregor. According to the *Black Book*, this fray happened in the year 1610. "Robert Campbell, second son of the Laird, Sir Duncan, pursuing ane great number of them"—the Macgregors—"through the country, in end overtook them in Ranefray, in the Brae of Glenurchy ; where he slew Duncan Abrok Macgregor, with his son Gregor in Ardchyllie, Dougall Macgregor M'Coulchier in Glengyle, with his son Duncan, Charles Macgregor M'Cane in Bracklie, wha was principals in that band ; and twenty others of their accomplices slain in the chase." The same event is recounted by Sir Robert Gordon, in his *History of the Earidom of Sutherland*. At Bintoich, he

writes, "Robert Campbell, the Laird of Glenurchy, his son, accompanied with some of the Clan Cameron, Clanab, and Clan Ranald, to the number of two hundred chosen men, fought against three score of the Clan Gregor ; in which conflict two of the Clan Gregor were slain, to wit, Duncan Aberigh, one of the chieftains, and his son Duncan. Seven gentlemen of the Campbells' side were killed there, though they seemed to have the victory." As will be noticed, Gordon does not give nearly so high-coloured an account of the affair as the Taymouth annalist, who had a personal interest in magnifying the exploit. But as we hinted before, the probability seems tolerably good that the tradition told to the English traveller was partly a version of the pursuit of the Macgregors.

The Castle of Finlarig continued as one of the principal seats of the Breadalbane chiefs till about the end of the seventeenth century. At the Revolution, it was considered of so much importance as a place of strength that it was held for some time by Government troops. Afterwards it was gradually abandoned, and allowed to decay. During the Rebellion of 1745, however, it again became a Government post, being occupied by the Argyleshire Militia. But for long it has been a deserted, crumbling, ivy-clad pile of ruins—the gaunt skeleton of what it was in the olden days when the Glenurchy knights held their state within its walls.*

* *Black Book of Taymouth* ; Innes' *Sketches of Early Scotch History* ; Logan's *Scottish Gael*, vol. ii., p. 364 ; Brand's *Popular Antiquities*, vol. ii., p. 77 ; Pennant's *Tour in Scotland*, vol. iii., p. 21 ; Gordon's *History of the Earldom of Sutherland*, p. 247 It is necessary to mention that General Stewart, in his *Sketches of the Highlanders* (vol. ii. appendix, p. 22) gives a different version of

the fight between the Macdonalds and Campbells. He places it in the days of the first Earl of Breadalbane, and shortly previous to his being raised to the peerage (as Earl of Caithness) in 1677. The gathering of the Campbells at Finlarig was "to celebrate the marriage of a daughter of the family;" and we find that the Earl had only one daughter, Mary, who became the wife of Cockburn of Langton. The Campbells were "driven back with great loss, principally caused by the arrows of the Lochaber men;" nineteen cadets of the Campbells were slain; Colonel Menzies of Culdares, who was on the same side, received nine arrow wounds; and nothing is said of a subsequent pursuit and defeat of the Macdonalds. But we have adopted Mr. Pennant's version, as having at least the apparent priority of date; for there can be little doubt, we imagine, that the story was told him, as he has related it, when he visited the Breadalbane country and Finlarig in 1772: though possibly two separate feuds were confounded together in the telling.

VIII.—The Sanctuary of St. Bride.

The solitary cell,
Where lone St. Bride's recluses dwell.

—*Lord of the Isles.*

IN the dawn of Scottish history, Anlaf, one of the earliest of the Norse chiefs who ruled over the Hebrides, appears as *Rex plurimarum insularum*, or “King of the many Isles;” and the regal title was retained by his successors of the same race. To them followed the Celtic line of “Lords of the Isles,” who though becoming subject to the Scottish crown, generally held pretensions to independent sway, equal to that of the Scandinavian Reguli. For about four hundred years, the Lordship of the Isles, in its relations to the Scottish Government, seemed to constitute an *imperium in imperio*. “Mighty Somerled,” the founder of that Lordship—possessing, as the Bards said, *Tigh a's leth Albin*, a house more than half of Albin—measured his strength once and again with the power of Scotland—unavailingly, it is true, and meeting his fate in the last struggle, which took place, in 1164, on the banks of the Clyde. Various of his descendants attempted to throw off an allegiance, which was never so loyally maintained as by the Hebridean magnate who marched with Bruce to Bannockburn; and more than one of them, in the madness of ambition, sought to seize the Scottish

throne itself. The personal state and dignity kept up by the Island-Lords, in the midst of their warlike vassals, was essentially regal. They were crowned, at their accession, like sovereigns, and at death they were entombed in Iona, where the ashes of monarchs reposed. Their chief seat was at Finlagan, in Islay, one of the largest and certainly the most important and fertile of the western group of isles. It was also the place of assembly of their head Court of Judicature, composed of fourteen members, for hearing and deciding appeals from all the subordinate tribunals of the regality, and the presiding judge of which was entitled to the eleventh part of the sum involved in every case that came before him. The coronation ceremony was also held at Finlagan. "There was a big stone of seven foot square, in which there was a deep impression made to receive the feet of M'Donald; for he was crowned King of the Isles standing on this stone, and swore that he would continue his vassals in the possession of their lands, and do exact justice to all his subjects: and then his father's sword was put into his hand. The Bishop of Argyle and seven priests anointed him king, in presence of all the heads of the tribes in the isles and continent, who were his vassals; at which time the orator rehearsed a catalogue of his ancestors."*

* Martin's *Account of the Western Isles*, p. 241. The Leases granted by the Lords of the Isles to their tacksmen, ran in the following style:—"I, Donald, chief of the MacDonalds, give here in my Castle, to — a right to —, from this day till to-morrow, and so on for ever." Brevity worthy of being studied by legal conveyancers of our day. The only existing Gaelic Charter is by Donald, Lord of the Isles, dated in 1408, regarding lands in Islay. It is in the Latin form, but written in the Gaelic language and character.

Apparently secure in their insular position, these western potentates (as already stated) usually held the Scottish Government in light regard. Sometimes they were tempted to make common cause with the English enemy, or to invade the mainland on their own account, in the wild hope of conquest. But their greatest insurrection was that of 1411, led by Donald of the Isles, in revenge for being refused the Earldom of Ross by the Regent Albany. This audacious rebel, who swore that he would make the country a wilderness from Moray to the Tay, was met at Harlaw by the chivalry of Angus and Mearns, and routed after a desperately-fought conflict: which signal overthrow served to tame the turbulent spirit of the Islesmen for more than a generation.

But the old leaven was not purged out by the Lowland sword at Harlaw. After fifty years, a scheme for the conquest and partition of Scotland was secretly concocted between the Earl of Ross, then Lord of the Isles, Donald Balloch of Islay, and John, his son, on the one part, and Edward III. of England, on the other; and a treaty was concluded at London, on 13th February, 1462, containing certain unprecedented stipulations. The Hebridean conspirators covenanted to acknowledge the English monarch as their liege lord, and to assist him with all their power in his wars in Scotland or Ireland; while they were to be retained in his pay till Scotland was conquered—said pay being in the following annual proportions: In time of peace, the Earl of Ross should receive 100 merks sterling, and in time of war, £200 sterling; Donald Balloch, £20 sterling in peace, and £40 sterling in war; and John, his son, £10 sterling in peace, and £20 sterling in war;

which "fees and wages" were to cease on the subjugation of Scotland. When that event was consummated, the kingdom was to be partitioned thus: Ross, Donald Balloch, and the banished Earl of Douglas should have all the country north of the Forth equally divided amongst them, "each of them, his heirs and successors, to hold his part of the said most Christian prince, his heirs and successors, for evermore, in right of his crown of England, by homage and fealty to be done therefore:" and further, the Earl of Douglas should have all his own possessions south of the Forth to be held under the like tenure. The treaty, unique in its character, was kept a profound secret. But although the Islesmen were ready for revolt, their royal ally's operations were very backward. Circumstances withholding him from an invasion of Scotland, his insular vassals, brooking no delay, because impatient to ascend their visionary thrones, broke into rebellion, and made their way to Inverness, which fell into their hands. There proclamations were issued, in name of the Earl of Ross, as an independent sovereign, and all subjects in the Sheriffdoms and burghs of Inverness and Nairn were commanded to pay him the usual royal taxes. The rising, however, was altogether premature, and miserably failed. Ross was summoned as a traitor; but, for some unknown reason, Government did not push matters to extremity with him. He made his peace, and was allowed to enjoy his honours and lands. Nothing as yet was known of his English engagement; and not till 1475 did it come to light. Immediately on the treason being known, Ross was denounced and forfeited, and forces were raised and marched against him. But once more he found means to pacify and compound with

the Government. He made a full submission, and in place of suffering forfeiture and death, as his disloyalty deserved, he was restored to the Earldom of Ross and the Lordship of the Isles. Thereupon, as had been previously arranged, he resigned the Earldom, which was annexed to the Crown, and in return he was created a peer of Parliament as Lord of the Isles—the succession to said title and the estates thereto pertaining being secured to his two illegitimate sons, Angus and John.

The resignation of the Earldom of Ross and its annexation to the Crown, however, deeply offended several of the western chiefs, and especially Angus, the eldest son above mentioned, so that by his means the heart-burnings and divisions on the point resulted in turmoil and feud. Angus was a man of bold and reckless character, almost with a tinge of insanity in his busy brain. He had great influence over his father, and also with many of the adherents of their house. After being declared nearest heir of the Isles, he obtained the hand of Mary, daughter of Colin, first Earl of Argyle. A sister of Angus, named Margaret, had been married to Kenneth Mackenzie, Chief of Kintail, but the union was unhappy, and she being repudiated by her husband, her brother seized upon this wrong as a pretext for rising in arms, and not only attacking Kintail, but also endeavouring to win back the lost Earldom by the sword. Gathering around him all the discontented vassals of the Isles, he burst, like a destroying flood, upon Ross. The Mackenzies in array attempted to withstand him, but were defeated with heavy loss, and the victor roved at will, endeavouring to reduce the Earldom to obedience. To check his progress, the Government hastily

despatched a military force to the north under the Earls of Crawford, Huntly, Argyle, and Athol, who succeeded in driving him back to the sea. He embarked the residue of his men, and sailed for the Isles. But he was by no means subdued. Dangers thickened around him without daunting his courage. Those of the Islesmen who favoured the interest of his father, took arms to second the efforts of the king's lieutenants, and so save themselves from the imputation of favouring the rebel. With a fleet of galleys, manned by the Macleans, Macneils, Macleods, and other supporters of his family, the Lord of the Isles himself, accompanied by the Earls of Argyle and Athol, set sail in quest of his son's armament. The two squadrons speedily came in sight of each other in a bay of the island of Mull, near Tobermory, and both prepared for fight. Before a blow was struck, however, Argyle and Athol, anxious to prevent needless destruction of human lives, brought about an interview between Angus and his father; but Angus would listen to no reason, and the two Earls retiring, a naval battle ensued, which was fought with great fury on both sides. Angus was completely victorious, and his merciless slaughter of the vanquished caused the scene of strife to be called *Ba-na-fola*—the Bay of Blood, whence the conflict is known in Highland history as the battle of the Bloody Bay. The Lord of the Isles was now a fugitive, and the power of his son seemed supreme.

Shortly after the battle, Athol took a daring step. This great noble, Sir John Stewart, first Earl of Athol, was of royal lineage by both his parents. The eldest son of Sir James Stewart, the Black Knight of Lorn, and Johanna, queen-dowager of James I., he was

raised to the Earldom of Athol in 1457. His first lady was Margaret Douglas, daughter of Archibald, Duke of Turenne and Earl of Douglas, called the Fair Maid of Galloway, who left two daughters; and after her death he married the Lady Eleanor Sinclair, daughter of William, Earl of Orkney and Caithness, by whom he had eight children. With a view to curb the triumphant sway of Angus of the Isles, by obtaining a hostage for his future conduct, Athol passed across privately to Islay, and seized upon the rebel's only son, a young boy, named Donald Dhu, or Black Donald, whom he carried off and committed to the keeping of the Earl of Argyle, the little captive's maternal grandfather. Argyle conveyed the child to the castle of Inchconnell in Lochawe, where he was strictly guarded. Soon the news of the abduction flew to the ears of Angus, and transported him with rage. Hearing only that the boy was kidnapped by Athol, and not knowing of his being handed over to Argyle, the frantic father instantly resolved to pursue the former Earl into the heart of his own country, whither he had fled. The gathering note was sounded, and, with all his forces around him, Angus spread his sails for the mainland. A steady breeze wafted him to Inverlochy, where he anchored his fleet and disembarked his men, all of whom were athirst for pillage and vengeance. Angus pressed forward, with unflagging speed, at the head of his warriors, choosing the wildest and most unfrequented routes, that there might be no premonition of his advance. Soon he entered Athol, like a bear robbed of her cubs, destroying everything before him. The inhabitants, who had been utterly ignorant of his approach, were struck with dismay on

beholding the savage Islesmen in their midst, and were prevented from mustering in sufficient numbers to defend themselves. It was an easy conquest. The marauders swept through the district, with the torch and the brand, amassing immense plunder. The Earl, powerless to repel the inroad, and not daring to show face in the field, was obliged to flee for safety, along with his Countess, the daughter of Orkney—not to a castled strength, but to a venerable ecclesiastical sanctuary, the Chapel of St. Bride.

St. Bridget or St. Bride was the Patroness of Ireland, and had received the conventual veil from the hands of the nephew of St. Patrick. "There were fifteen holy women in Ireland, who were distinguished by the name of Bridget," says an old historian; "the most eminent of them was Bridget, the daughter of Dubhthaig, who lived in the province of Leinster, and the character of this pious woman is highly valued and esteemed among the religious throughout Europe. It is certain that she descended lineally from the posterity of Eochaidh Fionn Fuathnairt, who was a famous prince, and brother to the renowned Conn, the hero of the hundred battles" * —a hero claimed as ancestor by the *Síol-Cuinn*, or race of Conn, the Macdonalds of the Isles and their branches, all of whom deny an Irish descent. We are also told that Bridget "built herself a cell under a large oak, thence called Kill-dara, or cell of the oak," and that "being joined soon after by several of her own sex, they formed themselves into a religious community, which branched out into several other nunneries throughout

* Keating's *General History of Ireland*. Dublin: 1861 (p. 389).

Ireland.”* This holy woman, besides being pre-eminent in Hibernia, was a popular saint in Scotland, where chapels and convents were dedicated to her memory in various places: “one of the Hebrides or western islands which belong to Scotland, near that of Ila, was called, from a famous monastery built there in her honour, Brigidiana:” and it was said that a portion of her relics had been deposited in the Culdee establishment at Abernethy, the capital of the Picts. Among the chapels in Scotland sacred to St. Bride was one in the province of Athol, which was held in great reverence, being famous for miracles which had been wrought at its altar on the diseased in mind and body. Such was the sanctity of this ancient fane that many of the scared inhabitants of the district sought refuge within its walls, bringing with them whatever of their effects were most valuable and capable of being conveyed. Thither likewise came Athol and his Countess, trusting that there they would enjoy the privilege of a sanctuary which even Angus of the Isles and his ruthless bands would respect.

Laden with booty—unsloekened in vengeance, burning and slaughtering as they passed, leaving nought but a desolated waste behind them, while the sky was thick with the smoke of their ravage—the Islesmen approached and surrounded the hallowed retreat. Angus knew where his foe was sheltered. But did the sacred character of the place, in that age of superstition, not make him pause? He summoned Athol to surrender himself and the captive boy, and was informed in answer that the boy was in Argyle, and that the Earl would not

* Rev. Alban Butler's *Lives of the Saints*, February 1st.

venture one foot beyond the charmed circle.* Angus had flattered himself that his son was within his reach, and now the disappointment was maddening. In one of those paroxysms of rage which were thought to indicate his insanity, he vowed upon his drawn claymore that no power on earth should stop his way or baulk his purpose. The few poor nuns went out to him, with tears in their eyes, and holy emblems in their hands, and besought him not to incur the sin of sacrilege. But idle were their remonstrances, their prayers, and their threats of heavenly wrath and retribution. He gave the word, and his remorseless clansmen, greedy for plunder, broke into the sanctuary, polluted it with blood, despoiled it of everything they coveted, and haled forth Athol and his Countess to learn their fate from the implacable Chief. It was a marvel that their lives were spared.

His fell work accomplished, Angus turned his face homewards, dragging his noble prisoners along with him. On reaching Inverlochy, where the galleys still rode at anchor, the marauders hastened on board with all their booty, and with the captive Earl and Countess, whose lives seemed to hang by the slenderest of threads. Sail was made—the destination being Islay. Sky and sea, and piping breeze filling the sheets, promised a pleasant voyage. And till Islay was descried above the blue waters, a pleasant voyage it was. But then, as the galleys ploughed the sunny deep, the breeze freshened into a gale, and the billows rose tumbling in foam. Murky clouds gathered fast: the wind increased to a hurricane, and there was fierce tempest over the sea. Broad flashes of lightning broke through the stormy gloom, and the roll of thunder answered the roar of dashing waves. The mariners, though in affright,

strove their best to run their vessels to land. But the angry elements contended furiously against them. Galley after galley went down : every one that was laden with the plunder was swallowed up in the fathomless abyss, and it was at extreme peril that Angus and his prisoners, and a scattered remnant of his followers, escaped to shore. They all felt that the powers of Nature had been moved by a high hand to avenge the Raid of Athol and the desecration of the Sanctuary of St. Bride. Thus, the tempest and the wreck, as terrible manifestations of divine indignation, struck the cateran's hardened soul with profound contrition. As he stood trembling and aghast on the strand, which the impetuous surges were strewing with dead bodies, broken spars, and torn cordage, and as he heard the cries of drowning wretches whose strength failed them as they neared the beach, a frenzy of terror and despair seized upon him. All the crimes of a life of violence, rapine, and bloodshed rushed back upon his conscience. Should he not make such atonement as was in his power? He released his prisoners unconditionally—without making any stipulation as to the restoration of his son—and facilitated their return to Athole.

They were soon followed in the same track by Angus and his chief adherents, all clad in sackcloth, with bare heads and unshod feet. In this penitential guise, they appeared at the Chapel of St. Bride, to the amazement of the nuns, who never could have dreamt of such a visitation. There the Islesmen, professing the deepest sorrow for their misdeeds, prostrated themselves before the altar, and performed such humiliating penance as could alone effect their reconciliation with the Church, and (as was believed) avert the farther judgments of

heaven. When everything was done that ecclesiastical discipline required, the repentant Chief and his company left the Sanctuary, and sought his native Isles. It was thought that a salutary change had been wrought upon him—that the fierce passions which had ever and anon convulsed his mind, like gusts of madness, were subdued by the beneficent influences of the penance at St. Bride's. But the idea was fallacious. A state of peace was incompatible with his restless nature. He soon resumed his former career of turbulence and war. Once more he marched at the head of his clansmen to renew the former feud with the Mackenzies of Kintail. He entered the town of Inverness; but there his fate awaited him. An Irish minstrel or harper, to whom he had done some wrong, or who was perhaps bribed by the enemy, watched an opportunity, and stabbed him to the heart with a dagger. The assassination was committed some time before the year 1490. It was a fit end to a lawless life.

The fortunes of Donald Dhu, son of Angus, were overcast from his boyhood. He was kept in Inchconnell for more than ten years, during which period a great revolution took place in the Isles. Another rebellion arose, and was suppressed, and then the lordship was annexed to the crown, and John, the last lord, and grandfather of Donald, died in the Monastery of Paisley. In 1501, the young captive escaped from Inchconnell, and was gladly received by his kinsman, Macleod of Lewis. Shortly thereafter an insurrection took place in Donald's favour as heir of the Isles; but his legitimacy was denied by Government, and his forces being overthrown, he was taken prisoner, and committed to the Castle of Edinburgh, where he

remained for the long and weary space of nearly forty years ! At last, in 1543, the caged bird found means to regain liberty. He eluded the vigilance of his keepers, and fled to the Isles, where he was welcomed by crowds of adherents. The flag of revolt was again unfurled, and application was made to Henry VIII., who being acknowledged by the rebels as their liege lord, sent Donald one thousand crowns, and promised him two thousand yearly. But Black Donald's stars were still adverse. He was driven from the Isles, and died in Ireland.*

* Gregory's *History of the Western Highlands and Isles of Scotland* ; Browne's *History of the Highlands* ; Tytler's *History of Scotland* ; Douglas' *Peerage of Scotland* ; Anderson's *Scottish Nation* ; Notes to *Lord of the Isles*.

IX.—A Jacobite Cateran.

————— Before me stand
This rebel chieftain and his band.

—*Lady of the Lake.*

WELL-KNOWN is the romantic story of the "Seven Men of Glenmorriston," who protected Prince Charles Edward during part of his perilous wanderings in the Highlands, after Culloden, and whose fidelity to the royal fugitive was uncorrupted by the reward of £30,000 sterling offered for his arrest. No better proof could be adduced of the honour, good faith, and trustworthiness of the Highlanders, and of their inviolable attachment to the Prince, than was displayed by that little band of outlaws; and no better refutation could be given to the malicious slander that the clans, as a rule, embarked in the Rebellion for the sake of enriching themselves with booty. The Seven Men had all been engaged on the Jacobite side in the insurrection, and when the cause was lost on Culloden Moor, they made their retreat to remote fastnesses, where, banding together by a solemn compact, they vowed to defend themselves to the last against Cumberland's soldiery, and never while they lived to lay down their arms and submit. Originally seven in number, they were joined by another comrade while the Prince was under their guardianship. They obtained their subsistence by

plundering the enemy, and they occasionally fought and routed detached military parties. Their oath of fealty to the Prince ran thus—"that their backs should be to God, and their faces to the devil, that all the curses the Scriptures did pronounce might come upon them and all their posterity, if they did not stand firm to the Prince in the greatest dangers, and if they should discover to any person, man, woman, or child, that the Prince was in their keeping, till once his person should be out of danger;" and this oath they so scrupulously kept that a whole year elapsed after the Young Chevalier had escaped from Scotland, before any of them ever revealed their secret. It has been asserted that one of them was subsequently hanged for stealing a cow; but this is a mistake. No one of that band came to such an end. They stood out in arms until the Act of Indemnity, in 1747, delivered them from all danger, and enabled them to return to their homes. But a man, not of their number, who was sentenced to death at Inveraray, in 1754, for robbery, endeavoured to excite compassion amongst the Jacobite gentry, and induce them to make intercession for his life, by falsely representing that he was one of the Glenmorriston men; until on finding that no mercy would be extended to him, he confessed the imposture and its motive.

Besides the Glenmorriston men, the defeat of the insurrection and the savage cruelties of Cumberland drove many of the common rebels to become caterans or cattle-lifters and robbers in the north. With some of them, this was but a recurrence to their old habits: they had been marauders before they put the white cockade in their bonnets, and when they pulled it out they resumed their former trade. It was remarkable, however,

that these rebel-banditti, in carrying on their depredations, generally discriminated between friends and foes—between Hanoverians and Jacobites—and for a considerable time they systematically directed onfalls upon the dwellings and property of the parish ministers, who were all staunch supporters of the Government. Such outrages grew so frequent and so flagrant that the victims made formal petition to the General Assembly regarding their sufferings.

Complaints were made of the hardships endured in consequence of the non-payment of stipends. At the meeting of the Commission of Assembly on 13th March, 1746, a petition by Mr. Thomas Montford, minister of Kilmalie, craved relief in his distressed circumstances, occasioned by the want of his stipend owing “by those in rebellion”: and he was probably the writer of a letter, dated 26th June following, which appeared in the newspapers, viz:—

As the most of this parish is burnt to ashes, and all the cattle belonging to the rebels carried off by his Majesty's forces, there is no such thing as money or pennyworth to be got in this desolate place. I beg, therefore, you will advise me what steps I shall take to recover my stipends. My family is now much increased by the wives and infants of those in rebellion in my parish crowding for a mouthful of bread to keep them from starving; which no good Christian can refuse, notwithstanding the villainy of their husbands and fathers to deprive us of our religion, liberty, and bread.

At the meeting of Commision on 12th November, 1746, Mr. Archibald Bannatyne, minister of Dores, in the Presbytery of Inverness, gave in a representation to the following effect:—

That as his house stands in a place 'twixt the Highlands and the Low country, on the King's highway to the east end of Loch

Ness, no minister in Scotland, so far as he could learn, suffered the half of what he had from the rebels, or lay so much under the feet of M'Donalds, Camerons, Stewarts, and M'Leans, as they passed and re-passed 'twixt their own country and their head-quarters of Inverness. Any, who is acquainted with that country, must know that travellers come through a long wilderness to the west of his house, where there is no provision for man or horse for twelve miles, and, after some houses on the road were destroyed, there was no accommodation for eighteen miles. As they passed in hundreds, fifties, and dozens, for eight weeks' time, they quartered man and horse upon him, banished him from his house, and after all his corns and provisions were consumed, they obliged his wife, under pain of military execution, to find them provisions of all kinds on her credit, which involved him considerably in new debt. Besides this, they burnt a house of his, with all the furniture and utensils in it; made a bonfire of his whole year's fuel on the 30th October, as a mock celebration of his Majesty's birthday, etc.

Letters were also read from ministers in the north, setting forth their distress by parties of robbers coming down upon their houses in the night; and a Committee was appointed to communicate with the Earl of Albemarle, Commander-in-Chief in Scotland in succession to the Duke of Cumberland. Again, at the Commission meeting in March, 1747, complaints were made by the Presbyteries of Aberdeen and Aberbrothock concerning depredations committed on the houses of ministers by "outstanding rebels;" and the Commission resolved to lay the matter before the Lord Justice-Clerk and Major-General Huske.

One of the most inveterate plunderers of the parochial clergy was a fugitive rebel, a Lowlander born, who had been a private soldier in the British army, from which he deserted and joined the ranks of Prince Charles. His name was James Davidson, and he was a native of Brechin. Surviving Culloden, he took to the hills and to

his own hand as a robber ; and, still swayed by Jacobite principle, he confined his attacks solely to the enemies of the cause, and was peculiarly active in pillaging manses in Forfarshire and Aberdeenshire. He was apprehended in 1748, and, being carried to Aberdeen, was tried and executed. Others of his class pursued their evil courses for longer periods, until checked by the hangman.

But none of the rebel-caterans attained the fame of Serjeant Mhor, whose daring elevated him to the character of a hero in the eyes of the humbler orders, whom he invariably refrained from injuring. John Dhu Cameron was his name ; but, from the stalwart height and proportions of his figure, he was called *Mhor*—big or great. Being of an adventurous spirit in his youth, and fancying a military career—while being Jacobitically inclined, he disliked the service of the House of Hanover—he crossed to France, and entered the French army, in which, by his steady conduct and soldierly qualities, he rose to the rank of Serjeant. On the outbreak of the Rebellion of 1745, he forsook the French colours, and, returning to Scotland, became an ardent adherent of Prince Charles, whom he followed throughout the war. Culloden dashed his hopes ; and, being thrown upon his own resources, he became a cateran, and collected around him a band of desperadoes, of whom he was chosen chief or captain. The troubled state of the country afforded full scope to the energies of the gang, and when danger threatened they found safe refuge among the recesses of the mountains bordering the three counties of Perth, Inverness, and Argyle, now lurking in the wilds of Badenoch and Drumuachter, now on the rocky banks of Loch Ericht, and now in the wastes be-

yond Loch Lydoch, or in the wilderness of the Moor of Rannoch.

Serjeant Mhor, as he was popularly designated, carried his Jacobitism into practice as a cattle-lifter, by plundering exclusively among the Whig party ; and he gained the good wishes of the poorer people by sparing and befriending them on all occasions. He also adopted the system of *black-mail*, and regularly uplifted this protection-money from many persons on the Lowland borders, making good any losses of cattle they sustained by other marauders. In this way, by degrees, he rendered himself a kind of power in the Highlands, and his name was both respected and dreaded far and near. Fruitless were all attempts to seize him either by force or guile. Whether alone or at the head of his band, he baffled every design of his enemies. And be it said that rude and lawless as were the lives of this man and his associates, he possessed qualities worthy of a much higher sphere of exertion, if his destiny had been otherwise cast. He was brave and trusty : a soldier's sense of honour ever distinguished him : and he doubtless justified to his own mind his marauding vocation by regarding it as the inevitable necessity or outcome of a state of warfare with the usurping Government. His proudest boast was that neither he nor any one of his followers had ever shed a drop of blood in their nefarious exploits ; but unhappily, as bad luck would have it, this boast was at length denied him. One day, while the gang were driving a *creach*, or spoil of cattle, in Braemar, they were overtaken and attacked, and in the scuffle one of the assailants, named John Bruce, in Inneredrie, was killed. As soon as the Serjeant saw this man fall, deep

remorse overcame him, and, commanding the spoil to be relinquished, he and his band made off empty-handed.

At another time his generosity, and his native pride and dignity, operated to the disadvantage of his purse. The story goes that a military officer, travelling to Fort-William with a large sum of money for the pay of that garrison, lost his route on the hills of Lochaber. He was journeying alone, without any escort—perhaps some emergency having prevented the sending of a party for his protection. At all events—whatever was the reason of his being unattended—he lost his way, as we have said, and, while in great perplexity about it, accidentally encountered a solitary Highlander, a fine specimen of the Gael—dark-visaged, of gigantic height and herculean build, with a little of the soldier in his bearing. They fell in talk: the mountaineer was friendly; and the traveller stated his difficulty, mentioned the money he was carrying, and expressed apprehension lest by wandering in unfrequented paths he might chance to meet with Serjeant Mhor. The other admitted that there was ground for such a fear, but readily undertook to put him on the right road, and guide him past all danger. The officer was very thankful, and so they went on together.

Conversing freely as they jogged along for miles, their discourse naturally turned on the redoubtable Serjeant Mhor, his misdeeds and hairbreadth escapes, and the officer did not scruple to stigmatise him as a robber and a murderer—epithets which he repeated so often and so bitterly that the Highlander's blood was roused. "Stop, stop!" he exclaimed at last, making a full pause. "You are unjust to Serjeant Mhor. If he plunders, he plunders only the cattle of the Whigs and Sassenachs, who are his

natural enemies ; but neither he nor his *cearnachs* ever spilt innocent blood except once, and that was in Braemar, when a man was cut down in a *melee*. "The moment he fell," continued the speaker, "I ordered the *creach* to be abandoned, and drew off without another blow being struck." The officer stared in utter amazement, hardly crediting his own ears. "You?" he cried. "What had you to do with the affair?" "Everything," replied the cateran. "My name is John Dhu Cameron: I am the Serjeant Mhor! There lies your road to Inverlochy. You cannot now mistake it. You and your money are safe. Tell your Governor to send in future a more wary messenger for his gold. Tell him also that, although an outlaw, and forced to live as I do, I am a soldier as well as himself and would despise taking his gold from a defenceless man who confided in me." Thus they parted. The messenger proceeded towards his destination, astonished at the peril he had run and the honourable conduct of the outlaw, whom, we may be very sure, he never again spoke of with disrespect. This adventure has been attributed by Sir Walter Scott to another Highland bandit called John Gun, the head of a band of gipsies, who flourished at the same time with the Serjeant, and it is introduced in the *Lady of the Lake*—where Roderick Dhu conducts Fitz-James—

"O'er stock and stone, through watch and ward,
Till past Clan Alpine's outmost guard,
As far as Coilantogle's ford."

But the version of this tale which we have followed is that given by General Stewart of Garth, who received his information about the Serjeant from a gentleman who was contemporary with him, and, therefore, could scarcely have been mistaken.

Nor was this adventure with the officer the only instance in which Serjeant Mhor's generosity of spirit made him forego opportunity of plunder. In those times, there was a public-house on the south side of the Upper High Street, Perth, directly opposite to Paul Street, and it was tenanted by a man who conjoined the vocations of cattle-dealer, flesher, and vendor of ale and mountain dew. The Michaelmas Tryst at Crieff was then the greatest cattle-market between Inverness and Stirling, and usually lasted a week. At one of these trysts the Perth Boniface attended, and made a considerable purchase ; but presently hearing that Serjeant Mhor and his gang were in the market, he became alarmed for the safety of his beasts on the way home. Having a slight acquaintance with the celebrated cateran, the anxious dealer sought him out, proposed an "adjournment," and had a caulker or two with him. In the end, the pair grew so "gracious," that the Serjeant sent a few of his band to escort his boon companion several miles on the road to Perth till past all chance of danger. The story goes that subsequently the publican had always more meat for sale than had been the case formerly, while, strange to say, a hide was never seen about his premises, so that the suspicion went that he was in the habit of helping the Serjeant to dispose of some of his "lifted" cattle.

Seven years did the Serjeant infest the north, defying the power of the law ; but the evil day came in the end. He often, when by himself, passed nights during bad weather in the steadying of a friend on the farm of Dunan, in Rannoch. This rugged district had been the retreat for some time of a brother clansman and rebel, Donach Dhu Cameron, who, escaping from Culloden,

sought concealment in a rocky recess, or "sheltering bed," on the north side of Glencomrie, called from that circumstance *Leaba Dhonnacha Dhuibh-a-mhonaidh*—"The Bed of Black Duncan of the Mountain"). There, while he lay unseen, he frequently viewed soldiers in pursuit of him passing to and fro at the foot of the precipice, twenty yards below. "This man," it is said, "was remarkable for agility and swiftness of foot. While Prince Charles was besieging Stirling Castle, Donnacha Dubh was sent upon some important business to Fort-William. Duncan is said to have performed the journey on foot, 88 miles, in one day,—a task which few pedestrians of this generation, or probably of his own, could achieve." Serjeant Mhor, however, was always welcome to resort to the house of his friend, whom he deemed incapable of treachery, but who ultimately, it appears, proved false, and betrayed him under the temptation of a bribe. This happened in the year 1753, and shortly after a small detachment of military from Badenoch, under Lieutenant (afterwards Sir Hector) Munro, had been stationed in Rannoch at about a couple of miles' distance from Dunan farm. Thither, to his well-tried entertainer's dwelling, one stormy evening, came Serjeant Mhor alone, and was received with the old hospitality. After partaking of a hearty supper, and tossing off a few stiff caulkers, he went to pass the night in the accustomed barn among plenty of straw. But when slumber had sealed his eyelids, some one stealthily stole in upon him, and removed his claymore, dirk, and pistols. Soon he was rudely awakened in the grasp of the *sidier roy* (the red soldiers). But Cameron was habituated to danger. His life was in his hand, and though unarmed he struggled to the utmost. He gained

his feet, and, exerting his great strength, threw off his assailants, and dashed one man with such violence against the wall of the barn, that he fell down insensible, and, in fact, was long an invalid from the effects of the shock. The bold outlaw rushed to the door, hoping to escape in the darkness ; but there he was met by the remainder of the party, who, crowding upon him, overpowered his desperate resistance, threw him down upon the floor, and made him prisoner.

The Serjeant being thus secured, was taken under a strong guard to Perth, where he was lodged in the Tolbooth. Another cateran named Angus Dhu Cameron, evidently a member of the band, was also apprehended and brought to Perth, accused of having been art and part guilty with the Serjeant in an act of sheep-stealing in Athol when on their way down the country from Braemar. At the Autumn Circuit Court of Justiciary held in Perth, the two Camerons were placed at the bar. Two indictments were read : the first of which charged Serjeant Mhor with the murder of John Bruce in Inneredrie, Braemar, and with sundry thefts, and likewise with being habit and repute a common and notorious thief : and the second charged him and Angus Dhu with having stolen two wedders at Blair-Athol. One jury heard both cases. On the first indictment the Serjeant was found " guilty, art and part, of the murder libelled ; of stealing three horses and a filly belonging to John Blair, in Ballachraggan ; and of being habit and repute a common thief in the country." There was some dubiety about the other case, and the diet being deserted against Angus Dhu, he was re-committed on certain new charges of robbery. Sentence was then passed on Serjeant Mhor to the effect that he

should lie in Perth Prison till the 23rd of November, and be fed on bread and water (in terms of the Act 25 George II.), and on that day be hanged at the common place of execution near to the burgh, and then his body to be hung in chains.

At this period—and for long previously, and until the year 1773—death sentences in the Scottish Court of Justiciary were recited over by the grim and repulsive official called the *Doomster*, who was generally the common hangman. The custom was that when the sentence was recorded, the presiding Judge rang a hand-bell, which was the signal for the emergence of the Doomster into the open Court. The Clerk then read out the sentence, which was repeated by the Doomster, who, at the close of his recitation, laid his right hand on the head of the condemned criminal, adding the words—“And this I pronounce for doom!” When a sentence was not capital, it was repeated by one of the Macers of Court. We all remember the vivid picture of the Doomster in the discharge of his duty at the trial of Effie Deans in *The Heart of Midlothian*.

Serjeant Mhor being condemned, the Perth Doomster or hangman appeared in the Court to perform his dread office, and was approaching to place his hand, according to immemorial custom, on the bare head of the prisoner, when the latter, in a sudden paroxysm of indignation, ejaculated—“Keep the caitiff off! Let him not touch me!”—at the same time threatening to strike the odious wretch if he ventured within reach. The formidable figure and furious looks and gestures of the outlaw terrified the Doomster. He retired at once out of harm’s way, without completing the usual formula. This circumstance was related to General Stewart of

Garth by a gentleman who had been present at the trial. But such a scene had already happened twice in the Circuit Court at Inverness, in the spring of the same year, 1753. A young lad, John M'Connachy or M'Donald, condemned for sheep-stealing, flew into a rage on the approach of the Doomster, ordered him to keep off, and struck him a heavy blow on the face ; but the attendant constables seized the culprit and held him fast until the hated official had done his duty. Another case at the same Circuit, on a subsequent day, was that of M'Connachy's uncle, John Breck Kennedy, who was condemned for cattle-lifting. Like his nephew, he attacked the Doomster, and also struck and kicked so violently about him at all and sundry that he had to be pinioned and handcuffed till the legal ceremony was gone through. It is thus seen that Serjeant Mhor's outrageous conduct at the bar was but following recent precedents.

The Serjeant underwent the extreme penalty of the law on the day fixed, the 23rd November, 1753—the place of execution being on the Burgh-Muir of Perth, where his body was left hanging in chains. As to his betrayer, he “was heartily despised” by all his neighbours, says General Stewart ; “and having lost all his property, by various misfortunes, he left the country in extreme poverty, although he rented from Government a farm on advantageous terms, on the forfeited estate of Strowan. The favour shewn him by the Government gave a degree of confirmation to the suspicions raised against him ; and the firm belief of the people to this day is, that his misfortunes were a just judgment upon him for his breach of trust towards a person who had, without suspicion, reposed confidence in him.”

By a curious coincidence, John Gun, the Gipsy-cateran, to whom has been attributed (erroneously, as we believe) the adventure with the Fort-William officer, was brought to trial at the Autumn Circuit Court of Aberdeen, in 1753, and was sentenced to be hanged on the 23rd of November ensuing, the very day appointed for the execution of Serjeant Mhor. But John's star was luckier than that which ruled the Serjeant's lot. When judgment was passed upon him, John broke out in great wrath, declaring that he had been unjustly dealt with, and that he would never forgive the Justice of Peace who had committed him, or the Lord-Advocate who had conducted the prosecution. As if indeed there were some grounds for his angry complaint, he was reprieved, and ultimately sent across the sea to the Virginia plantations.*

* Chambers's *History of the Rebellion of 1745-6*; Bruce's *Black Kalendar of Aberdeen* (2nd edition), pp. 38, 39, 45, 85, 89; Morren's *Annals of the Assembly: 1739-1752*, pp. 90, 94, 95, 105, 389; General Stewart's *Sketches of the Highlanders of Scotland*, vol. i., p. 64, vol. ii., appendix, p. xx.; Notes to *Lady of the Lake*—Canto Fifth; Penny's *Traditions of Perth*, p. 100; *Scots Magazine* for 1753; Chambers's *Book of Scotland*, p. 318.

X.—The Wearing of the Tartan.

The home-spun garb that, bright with various dyes,
Was wont to please the simple native's eyes ;

By the long lapse of years habitual grown,
Endur'd the rigid laws' forbidding frown.

—*Mrs. Grant of Laggan, "The Highlanders."*

THE other day, whilst examining a dusty mass of old law-papers, we came upon a small bundle containing illustrations of the operation of the Act of Parliament, passed in August, 1746, for "disarming the Highlands in Scotland." As is well known, this statute embraced clauses enacting that, from and after the 1st August, 1747, no man or boy, other than "officers and soldiers in His Majesty's forces," should, on any pretence whatsoever, wear or put on the Highland garb, or any part thereof, under penalties of six months' imprisonment for the first offence, and seven years' transportation for the second : the oath of one witness being declared sufficient to justify conviction. During a considerable period the measure was rigorously enforced all over the North—the dress-prohibition especially—"an ignorant wantonness of power," as Dr. Johnson called it—causing sore trouble and hardship to the denizens of the hills and glens, who resorted to various modes of evasion of the Act, but generally in vain ; while the duty of watching

for and reporting infractions of the law was performed chiefly by the soldiery who garrisoned the country. "Nothing could depress the Highlanders more," says Mrs. Grant of Laggan, "than the imagined policy of depriving them of a national habit which they greatly preferred to any other, and found better adapted to the purposes of hunting, climbing the mountains, fishing, and, above all, sleeping out in the heaths, which they often did, wrapped in the plaid, the colours of which were so well suited to the woods and dusky verdure of their high grounds that they could come very near their game unperceived."

But before the legislative enactment on the subject came into operation, a ridiculous outbreak of Hanoverian antipathy to the tartan happened in Edinburgh. In the year 1746, so fatal to the hopes of Prince Charles Edward, the anniversary of his birth was on Saturday, the 20th December; and in the course of that week rumours reached the ears of the Edinburgh authorities, civil and military, that certain Jacobites, mostly of the fair sex, intended to hold a ball in honour of the occasion, within an Inn, at the Shore of Leith, kept by a Widow Norris, who was herself shrewdly suspected of Jacobitism; while it was also reported that the ladies were to appear in *tartan gowns* and *white ribbons*! As the sight of a red rag infuriates a bull, so the proposed "wearing of the tartan" was thought to indicate a treasonable meeting; and, in this alarm, the Lord Justice Clerk and Lord Albemarle, Commander-in-Chief of the Forces in Scotland, adopted measures to frustrate the affair. Bishop Robert Forbes records the result in his large edition of Jacobite papers denominated by himself, *The Lyon in Mourning*, which has been printed

under the auspices of the Scottish History Society. The Justice Clerk drew up and issued the following Orders :—

WHEREAS certain information has been given from time to time that several persons, particularly of the female sex, disaffected to His Majesty's person and government, have formed a design, as an insult upon the Government, to solemnise the twentieth day of December as the birthday of the Young Pretender, and for that end are resolved to be dressed in tartan gowns and white ribbands, and to have a ball or dancing in the house of Widow Morison (or the like name) in Leith ; therefore these are ordering all officers, civil and military, to be upon their duty to prevent any such riotous meetings, or any such insult upon the Government ; and for that effect to search all suspected houses in the Canongate, Leith, and the other suburbs of Edinburgh, and to seize the persons of such as they shall find dressed in tartan gowns and white ribbands, and the persons of all such as they shall find attending such meetings or dancings, and to make them prisoners, etc.

Given at Edinburgh, this twentieth day of
December, in the year [1746], etc.

AND. FLETCHER.

Lord Albemarle's Order was couched in similar terms ; and, at a rather late hour that night, parties of soldiers were sent out on this service, their officers being furnished with lists of suspected houses. "There was a strict search made," says the Bishop, "throughout the Canongate, Leith, and the other suburbs of Edinburgh," that ladies found attired as above might be straightway arrested and brought before the Justice Clerk and Albemarle, "that so they might be questioned about that rebellious dress. Sentries were posted at my Lady Bruce's gate at seven o'clock at night, but no search was made in her house till about ten o'clock, when Lieutenant John Morgan, of Colonel Lees's regiment of foot, entered

the house and behaved with very great discretion, making a joke of the farce, as indeed it did not deserve to be considered in any other light. He went into some few rooms to see if he could find any tartan-ladies ;” but, finding none, he said “ he believed never was an officer sent upon any such duty before, as to enquire into the particular dress of ladies, and to hinder them to take a trip of dancing.”

It is next recorded that “ Mrs. Jean Rollo, an old maiden lady in the Canongate, and sister of the present Lord Rollo [Robert, fourth Baron, who was “ out ” in the ’15, but not in the ’45], was the only prisoner according to order, and was brought before the Justice Clerk and Lord Albemarle, and after some very silly trifling questions being asked about her tartan gown, she was dismissed.”

The Bishop goes on to tell that “ a party of mounted dragoons continued patrolling through some of the streets of Leith till near 12 o’clock at night, and sentries were posted at the Watergate, Foot of Leith Wynd, and head of the Walk of Leith, and other avenues leading to Edinburgh, so that none could pass or repass without being strictly examined and giving an account of themselves. At the Watergate, some gentlemen returning from their walk they had been taking into the country were made prisoners, and detained to next day in the Canongate prison, because they made a joke of the thing, and refused to answer some of the silly questions. Among these gentlemen was Mr. David Kennedy, brother to the present Sir Thomas Kennedy of Cullean, and cousin to the Justice Clerk. One of Lord Albemarle’s servants, returning from watering and airing the horses, refused to answer a sentinel that called to him, upon

which the sentinel stepped forwards and thrust his screwed bayonet into the belly of Albemarle's best horse, so that the fine managed caperer died. This became the subject of much laughter, that the General should be the only person to suffer in a search for the *rebellious tartan*."

After all, we cannot be surprised to learn that this silly bustle and infringement of the liberty of the subject was the outcome of a practical joke upon the easily-excited authorities. "This farce," writes the Bishop, "was said to be altogether owing to the folly and madness of General Husk, who was at that time in Edinburgh. There never was such a thing devised as a ball or a dancing. But some people knowing the folly and idleness of the Government folks, had spread such a report to try what they would do; and indeed the farce afforded diversion enough."*

It seems that an open show of Jacobitical dress was shown in Manchester at this period, without the governing powers being so foolish as to take notice of it, after the Edinburgh style. According to Hibbert Ware's *History of the Foundations in Manchester* (as quoted in *Notes and Queries*, 1897):—"Independently of the Jacobite holidays, the Tories, on every common occasion, boldly appeared in the streets decked in the Prince's livery, with plaid waistcoats; the ladies imitating them by wearing gowns of the same Scottish hue and texture, while every pincushion showed the initials of P.C." It was shrewdly suspected that the articles of dress, etc., were imported from Scotland. A writer says:—"As to Jacobitism, we have it industriously propagated in various shapes; even in our dress, our manu-

* *The Lyon in Mourning*, vol. ii., pp. 110—112.

facture, and what not. Many a pretty girl has been taught to read 'God bless Prince Charles' upon her pin-cushion, before she can say her Catechism. To me it is very obvious that plaid waistcoats, gowns, etc., are chiefly worn at this time by way of encouragement of the loyal city of Glasgow, from which place it is well known that this commodity principally comes. . . . Several looms have been lately employed to furnish garters, watch-strings, etc., with this elegant motto, 'God preserve P.C., and down with the Rump.'"

But we must leave the pretty girls with their pin-cushions, and attend to what was doing in Scotland.

Still more odious than the enactment prohibitory of Highland dress was the "Indemnity Oath," designed for the Highlanders, which ran as follows :—

I, A. B., do swear, and as I shall answer to God at the great day of judgment, I have not, nor shall have, in my possession any gun, sword, pistol, or arm whatever, and never use tartan, plaid, or any part of the Highland garb ; and if I do so may I be cursed in my undertakings, family, and property—may I never see my wife and children, father, mother, or relations—may I be killed in battle as a coward, and lie without Christian burial in a strange land, far from the grave of my forefathers and kindred ; may all this come across me if I break my oath ! *

By their Disarming Acts, the Governments of the first two Georges, imitating the Philistines, strove to reduce the Highlanders to the condition of the Israelites in the time of King Saul, when "It came to pass, in the day of battle there was neither sword nor spear found in the hand of any of the people." As to the Indemnity Oath—which must have been the composition of some-

* Adam's *What is my Tartan?* p. 23.

body well acquainted with the Highland character and habits of thought and feeling—the refusal to take it was held to be a proof of disaffection, incurring punishment.

The original papers mentioned at the outset of this sketch, as containing illustrations of the working of the clause proscribing the wearing of the tartan, relate to a large district of the Perthshire Highlands, which was under the jurisdiction of a Sheriff-Substitute, who kept his head courts at Killin. Before the abolition of the Heritable Jurisdictions it was at Killin that the Baron Courts of the Regality of Breadalbane were held, and the small Highland village, being thus a seat of justice, possessed a jail like any ordinary burgh. The small bundle of documents is labelled on the wrapper, “Prosecutions for wearing the Highland dress before the Sheriff Court at Killin,” and the following summary of the cases will show how the Act was administered there in the years 1749 and 1750:—

1. On the 24th February, 1749, an information was presented to Duncan Campbell, Esq., Sheriff-Substitute at Killin, by Duncan M'Combich, sergeant in Captain Campbell of Inveraw's Company of Lord John Murray's Regiment of Foot, setting forth that, “upon Wednesday last, the 22nd inst., he, being in Invercagerney, happened to see Duncan Carmichael, servant to Duncan M'Farlane, tenant there, wearing a philabeg or little kilt—wearing it in the common and usual way of such garb, contrary to the late Act of Parliament concerning the Highland cloathes; he thought it his duty to challenge the same, and did on the evening of said day apprehend the person of the said Duncan Carmichael, to be presented to the next nearest judge as directed by the said Act.” The prisoner was presented, at Auchmore on the

24th, before Sheriff Campbell, who, having read and considered the information, ordained the said Duncan Carmichael to be incarcerated in the Prison of Killin forthwith until liberated in due course of law."

2. Another complaint cropped up on 11th August that year, when Robert M'Farlane, in Inverchagarny of Strathfillan, parish of Killin, who was informed against by John Jacklane, sergeant of Lord Ancrum's Regiment, "for using and wearing a tartan vest of plaiden somewhat long," found bail to appear at a future diet of Court. But there is no farther record of him, the probability being that the complaint was found untenable and therefore withdrawn.

3. On the 29th September following, Duncan Campbell, indweller in Killin, was informed on by John Isack, corporal in General Poultney's Regiment, commanding the detachment of that regiment in Killin, for wearing parts of the dress prohibited (which are not specified), and committed to prison.

4. On the 5th October, the above John Jacklane, while commanding a patrolling party of his regiment, apprehended four Highlandmen, namely, Duncan Campbell, in Glenfalloch, who wore tartan trews; John, his son, who wore a little kilt; George M'Farlane and Peter Macallum, indwellers in Glenfalloch, both wearing short coats of one colour. The prisoners being brought before the Sheriff, he dismissed the two latter as not having infringed the statute, but the others he committed to Killin Jail. Three weeks afterwards—on the 26th of the month—the Campbells presented a petition for liberation, stating that Duncan "being a widower, his private business at home is suffering greatly, for instance several of his goats are stolen or gone astray, and he had

none at home qualified to make the proper search for them." As no interlocutor appears on this petition, the presumption is that its prayer was disregarded, and that the father and son were only enlarged "in due course of law."

5. The last case in the parcel is perhaps the most curious of the lot. The Laird of Appin kept a black servant named Oronoca—perhaps a descendant, but at least, a namesake, of Oroonoko, the hero of one of Mrs. Behn's novels, and one of Southern's plays. The black servant was evidently a negro slave, for the ownership of slaves on British soil was still recognised at law, and runaway negroes were advertised for in the newspapers, like lost poodles or strayed cattle, and rewards offered for their seizure and restoration. Nay, more, "a black boy" who had "been in Britain nearly three years," and belonged to a gentleman in Edinburgh, was offered for sale at the price of £40 in the *Edinburgh Courant* of 18th April, 1768. The Laird of Appin, out of some freak or other, dressed his negro in the tartan livery of his clan, which fact was soon detected by the lynx-eyed military informers. The record bears that on 25th July, 1750, "Oronoco, servant to Dugald Stewart of Appin, Esq., was apprehended by Henry Paton, commanding officer of the forces stationed in the Rannoch district, for wearing the Highland garb, or being dressed in tartan livery," and was forthwith committed to prison, wherein doubtless he lay his allotted time.

Let us now select a few examples of the oppressive working of the Act in other districts of the country.

In the month of January, 1749, a public notice was issued by the Sheriff of Edinburgh to the effect that all persons found within that county, wearing the Highland

dress, would be prosecuted under the late Act. This notice was not allowed to remain inoperative. On the 12th August that year a Highlander was arrested in one of the streets of Edinburgh, and carried prisoner to the Castle, "for wearing a philabeg;" and on 18th September following, another Celt, named Stewart, was taken into custody in Edinburgh, "for the same crime;" but both were admitted to bail.

About the end of March, same year, six men were carried in from Cromar to Aberdeen, "for wearing the Highland habit." They were kept six or seven weeks in prison there, and then admitted to bail. On the 26th October, other six men were brought from Braemar to Aberdeen, for the same "crime." Five of them were admitted to bail; but the sixth was kept in jail—the "Mids-o'-Mar," as Aberdeen prison was locally termed.*

Only the day after Oronoco's apprehension, the rigid enforcement of the law caused a Highlandman's violent death near the Northern border of Aberdeenshire. On the 26th July, 1750, a corporal, who happened to be quartered with a small military detachment at the Cabrach, seeing William Gow of Auchencrach passing on the road, proceeded to arrest him on the plea that he was wearing some part of "the garb of old Gaul," not specified in the account before us. Gow resisted, using his fists freely, when another soldier rushed to the spot to support his corporal, but got knocked down as soon as he interfered in the scuffle. Shaking himself loose of the corporal's grips, Gow ran off at full speed, and might have escaped scot free had not the two soldiers, rendered furious by the blows they had received, fired

* *Scots Magazine*, vol. xi.: 1749, pp. 52, 251, 459, 508.

their muskets after him. The shots took effect. He was mortally wounded, and died next day. For all that appears the soldiers were never called to a strict reckoning for their deadly work.*

About the same time, a young Banffshire lad, "who had on part of the Highland garb, being pursued by a soldier, took shelter in a house," whereupon "the soldier shot him dead through the door." It was also reported "from Inverness, that, on the 17th of August, a soldier there challenged a half-pay officer of one of the Highland regiments for wearing his regimentals and a broadsword, and endeavoured to disarm him; but that the gentleman keeping hold of the hilt, and struggling with and pushing off the soldier, the crampet dropt off unperceived, and by that means the soldier received a wound, of which he soon died. The gentleman," adds the report, "has absconded." †

At the Inverness Circuit Court of Justiciary, held on 5th September, "Alexander, Mary, and Anne Macdonalds, and Anne Kennedy, were indicted of deforcing the military when apprehending a person for wearing the Highland habit. The Advocate-depute deserted the diet against them *pro loco et tempore*, and they were dismissed; but he immediately gave in another information, and obtained a warrant for incarcerating them of new. The pannels craved to be admitted to bail; which the Lords granted." ‡

On Christmas Day, Donald Grant, of the parish of Glengairn, was imprisoned at Aberdeen for wearing the

* *Scots Magazine*, vol. xii. : 1750, p. 348.

† *Ibid.*, p. 395.

‡ *Ibid.*, p. 451.

Highland habit.* Again, on 30th August, 1751, another Highlander, named Donald Macdonald, underwent durance vile in Aberdeen for the like offence.†

Years passed without the law being allowed to fall into desuetude. The following Argyleshire document tells its own tale :—

John M'Leran of the Parish of Ardochattan, aged about twenty years, was brought before me by Lieutenant John Campbell, being apprehended for wearing a Phelibeg, and convicted of the same by his own confession : Therefore in terms of the Act of Parliament, I delivered him over to the said Lieutenant John Campbell to serve His Majesty as a soldier in America, after reading to him the 2nd and 6th sections of the Act against mutiny and desertion. Certified at Armady, 26th September, 1758.

CO : CAMPBELL, J.P.

Invry, 27th September, 1758. Appoints Peter Campbell, officer, to put the within John M'Leran in gaol, therein to remain till liberated in due course of law.

JOHN RICHARDSON.‡

In the summer of 1759, however, the trial of a Killin youth led to such a *fiasco* as brought about some relaxation of the harsh and tyrannical administration of the Act.

Donald Macalpin, son of John Macalpin, in Clifton Village, parish of Killin, was seized for wearing a kilt, which was stitched up the middle so as to have "something of the form of the trowsers worn by Dutch skippers," such as may be seen in pictures of Dirk Hatteraick. It is not too much to say that properly the stitching of the kilt was merely a subterfuge to evade the letter of the law, for we are told by General Stewart of

* *Scots Magazine*, vol. xii : 1750, p. 596.

† *Ibid.*, vol. xiii : 1751, p. 405.

‡ *Celtic Magazine*, vol. viii., p. 565.

Garth that "many were the little devices" which the Highlanders "adopted to retain their ancient garb without incurring the penalties of the Act, devices which were calculated rather to excite a smile than to rouse the vengeance of persecution. Instead of the prohibited tartan kilt some wore pieces of a blue gown, or red thin cloth, or coarse camblet wrapped round the waist, and hanging down to the knees like *fealdag*," or unplaited philabeg. Donald, on being called in question, stoutly protested that the alleged kilt was really and truly a pair of short trews, without any tartan about them, as indeed there was not; but his defence was held irrelevant, he was brought to the bar, and conviction followed as a matter of course. On the back of the conviction, however, the Sheriff committed a great blunder. He granted no warrant for the prisoner's committal to jail to undergo the statutory six months' imprisonment, but assumed a discretionary power altogether ultroneous. Wars were then raging abroad—Highland regiments, "plaided and plumed in their tartan array," were winning glory on foreign battlefields, and as Donald looked "a proper young man" to carry a musket in the service of his king and country, the Sheriff-Substitute adjudged him to be a soldier, and handed him over to a recruiting officer stationed in the town of Perth. There was no authority whatever in the Act to transform Donald into a soldier, but the officer, who evidently knew this, succeeded, by the use of desperate threats, in concussing his prisoner to make a seemingly voluntary enlistment and attestation.

Still the affair did not end there. Although "listed, tested, sworn, and a'," poor Donald was not left to himself in this dire extremity. Some friends from Loch Tay side turned up at the critical moment, and demanded on

his part to be furnished with an extract of the legal proceedings against him. This being peremptorily refused, application was made to the Court of Session on the 20th July, praying for the intervention of their Lordships in the matter. Nor was the petition in vain. It was ordered to be served on both the recruiting officer and the Sheriff-Substitute for answers thereto, and Donald was liberated *ad interim* on bail. An extrajudicial compromise was the result—"The officer paying the complainer's expenses, amounting to nineteen guineas, and discharging him from being a soldier, and he passing from his action against the officer, the Sheriff-Substitute, and all others concerned." The contemporary reporter of the case adds the remark that "the ready ear given by our Supreme Courts to the just complaints of the meanest subject should teach recruiting officers and inferior Magistrates not to trifle with the laws." *

Donald went back triumphant to the hills of Breadalbane, and his case led to a salutary change in the high-handed procedure of "inferior Magistrates" under the Act. But the odious measure itself was not wiped from the statute book till the year 1782, when the Marquis of Graham (afterwards third Duke of Montrose), then sitting in the House of Commons as one of the members for Richmond in Yorkshire, brought in a Bill for its repeal, which passed *nem. con.*

Now, for the first time, after five and thirty coercive years, were the sons of the mountain and the glen able to array themselves with

The bonny blue bonnet,
The kilt an' the feather an' a',

free from all dread of incurring legal penalties.

* *Scots Magazine*, vol. xxi., 1759, p. 440.

XI.—The Affray at the Red Parliament.

Most gracious and omnipotent,
And everlasting Parliament,
————— You have done more
Than all the Parliaments before ;
You have quite done the work.

—*John Cleveland.*

A plague o' both the houses.

—*Romeo and Juliet.*

THERE was a *Black Parliament* of Scone, in August, 1320, at which Lord Soulis and several Scottish Knights were convicted of a treasonable conspiracy against King Robert Bruce, on the confession of the Countess of Strathearn, who was privy to the plot ; and four of the belted traitors were sent to the scaffold. There was also a *Black Parliament* of Stirling, in August, 1571, when a nocturnal incursion of Kirkcaldy of Grange's men from Edinburgh Castle resulted in the slaughter of the Regent Lennox, after he had been taken prisoner. And, for variation of colour, there was a *Red Parliament* of Perth, in July, 1606, which, in its connection with a fierce street affray, is here chosen as the subject of a brief historical sketch.

Perth ceased to hold place as the capital of Scotland in 1482, after which date no meetings of the Estates were held there till the beginning of the seventeenth

century. In 1604, the presence of the plague in Edinburgh caused the Parliament, which had met in that city, to be adjourned to Perth, where it resumed its sitting in July, under the Earl of Montrose, as Royal Commissioner; and "the town mustered fourteen hundred men in arms and gude equipage" (says the local *Chronicle*), as a guard of honour during the Session. At this Parliament, Commissioners were appointed to negotiate about a Treaty of Union with England, which, however, was not carried through till another hundred years had run their chequered course.

King James, finding himself firmly seated on the throne of Elizabeth, was desirous of promoting the union of the Kingdoms; but the object which lay nearest his heart was ecclesiastical uniformity. He had long masked his irreconcilable aversion to Presbyterianism; but his translation to the "land of promise" enabled him to fling aside every disguise. His Majesty finally broke with the extreme party in the Kirk of Scotland: Bishops were maintained over their heads; and he had determined to reinstate the episcopal order in all its ancient rights, privileges, and revenues. To effectuate this important purpose, a Parliament was appointed to assemble, at Edinburgh, in the month of June, 1606; but the alarm of plague again caused a transference to Perth. The Estates accordingly met in the Fair City on Tuesday, the 1st of July. The Earl of Montrose was Commissioner, and the Earl of Dunfermline Lord Chancellor. It was arranged that the "Riding," or equestrian procession of the members, which was customary at the opening and close of the Scottish Parliaments, should be attended with unusual pomp and splendour.

In his eager desire to effectuate uniformity, the British Solomon resolved that the robes of the Peers of Scotland, when attending Parliament, should be assimilated to those worn by their English equals. The Scottish Privy Council being instructed accordingly, they, on 7th June, 1605, issued an order that "all and sundry Dukes, Marquises, Earls, and Lords, who shall happen to repair to the next ensuing Parliament," should prepare themselves thus: The first three classes "with red cramsie (crimson) velvet robes, lined with white ermine and taffety, and the Lords in red scarlet robes, lined after the same fashion, . . . that by this habit they may be known from others of meaner and inferior ranks." The Council renewed this Order on 23rd January, 1606, and it was proclaimed at the Cross of Edinburgh.

When it was announced that the Parliament was to meet at Perth, the magistrates there made every preparation for the great event which was to dignify the city, and, for a season, restore its ancient importance. A weaponschawing, or military muster of the fencible men of the burgh, was held on the North Inch, on Friday, the 27th June. Parties were selected to keep order in the town during the sitting. Green cloth was provided for furnishing the Parliament House in the High Street. To prevent any scarcity of fresh salmon, the salting of the fish was limited; and a tun of wine was to be divided betwixt the Commissioner and the Earl of Dunbar, the prime manager for the King.

At the opening of the Parliament, the procession was marshalled from the lodging of the Lord Commissioner, which was probably Gowrie House, the scene of the recent mysterious "Conspiracy," and now called the "King's House." The crimson velvet and ermined

robes of the principal nobility, and the scarlet and ermined robes of the Lords, all with hoods, caused much speculation amongst the gazing multitude, and in fact led to the Parliament obtaining the distinctive designation by which it is known in history. Three Earls, Caithness, Argyle, and Angus, bore respectively the sword, sceptre, and crown. The members, of all degrees, rode in pairs. The cavalcade was opened by the Commissioners of Burghs, who were followed by the Commissioners of the Barons ; the Abbots and Priors ; and the temporal lords, beneath the dignity of earls. Then came the Archbishops and Bishops, in this order :—

George Gladstones, Archbishop of St. Andrews, and
 John Spottiswoode, Archbishop of Glasgow.
 Peter Rollock, Bishop of Dunkeld, and
 Gavin Hamilton, Bishop of Galloway.
 David Lindsay, Bishop of Ross, and
 George Graham, Bishop of Dunblane.
 Alexander Douglas, Bishop of Moray, and
 Alexander Forbes, Bishop of Caithness.
 James Law, Bishop of Orkney, and
 Andrew Knox, Bishop of the Isles.

They wore black silk and velvet, and rode with foot-mantles. To honour the Metropolitan, at his stirrup walked a parish minister from Angus, Mr. Arthur Futhie, a man of portly figure and gigantic stature, carrying his cap in his hand. There was still another Prelate, Peter Blackburn, Bishop of Aberdeen ; but he was a meek man, professing conscientious scruples about appearing in such parade, and therefore he refused to ride with his right reverend brethren, and went humbly on foot. Next to the Bishops, in the procession, rode the Earls, and then appeared the regalia,

the Commissioner, and the Marquises of Hamilton and Huntly; and the train was closed by trumpeters, macers, and other officers.

The spectacle, as it moved along the crowded streets, in the summer sunshine, with trumpets blaring—every window crowded with faces, and the onlookers shouting as they saw the “honours of the kingdom” pass by in solemn state—must have been singularly august and imposing. It seems to have strongly impressed the minds of the common people, many of whom shared the opinions of the section of the clergy that condemned everything savouring of Episcopacy. “And this,” says James Melville, “was called the Red Parliament, which in old prophecies was talked many years ago, as the common speaking was, then should be kept in Perth or Saint Johnstoun, because all the noblemen and officers of estate came riding thereto, and sat therein, with red gowns and hoods, after the manner of England, for a new solemnity, which many did interpret a token of the red fire of God’s wrath to be kindled both upon Kirk and country.” An old prophecy is noted by David Calderwood, the Kirk historian. “It is constantly reported that Dunbar, Bishop of Aberdeen, at the time of Reformation, said that a Red Parliament in St. Johnstoun should mend all again. It was thought that he was a magician. His speech is like to prove true, for since that time defection has ever grown.” *

* Gavin Dunbar, Archdeacon of St. Andrews, Dean of Moray, and Lord Clerk Register, was promoted to the see of Aberdeen in 1518, and died in 1532, so that he did not live till the Reformation. Keith calls him “the good Bishop.” He had two Romish successors, William Stewart and William Gordon—the last of whom perhaps uttered the prediction. See Keith’s *Catalogue of Scottish Bishops*, pp. 70-72.

The harmony of the Parliament was marred by some untoward circumstances. The first disturbance was caused by the equestrian Bishops, who were so indignant at the conduct of their pedestrian brother, that as soon as they reached the Parliament House they urgently petitioned the Lord Chancellor to have him expelled from his seat, which was accordingly done, and the episcopal bench, that session, lacked one of its members.

A considerable number of recusant ministers had come to Perth with the view of opposing the policy of the Court. "They convened orderlie," says Calderwood, "in Mr. John Malcolme's, who was one of the ministers of Perth, an upright-hearted man, who interteaned a great number of them, when the toun was throng, upon his owne expences." They had prepared a Protestation against the advancement of the bishops, but received no countenance, and all their efforts were rendered nugatory. Mr. William Cowper, the other minister of Perth (who afterwards became Bishop of Galloway), was then among their number, and had "made a sermon to the contentment of the godlie, the day preceding the first ryding day of the parliament. But nather he, his colleague, Mr. John Malcolme, nor anie other of that sort, were suffered to preache again before the Estats, during the tyme of the parliament."

The Court managers found little difficulty in carrying through the measures on which they were bent, namely, the restitution of the bishops, the erection of seventeen prelacies in temporal lordships, and the imposition of a national taxation of 400,000 merks. The town of Perth met with favour, an Act being passed, confirming all the burgh privileges and the Great Charter of November, 1600, and also granting to the town the parsonage house

and the right of patronage to the vicarage of Perth. On the last day of the session, however, the famous Andrew Melvill, the head of the Presbyterian party, having with great difficulty got admission to the Parliament House, rose to offer a protest against the ecclesiastical legislation. "But how sowne he was espied," says Calderwood, "he was sent to, and commanded to depart; which notwithstanding he did not, till he had made all that saw and heard him understand his purpose."

There was another annoyance to the Parliament. The Bishops, as we have seen, had taken offence at their brother of Aberdeen, because he refused to go along with them on horseback, for which obstinacy they procured his expulsion from his seat in the House. But they very speedily raised a quarrel with Government on a question of precedence connected with the procession. They were dissatisfied with their allotted place in the riding, between the Lords and Earls, considering it their right to take precedence of both Lords and Earls, and come after the Marquises, which was the old fashion. This claim being disallowed, they took the matter so seriously to heart that they would not join in the closing procession at all, "but went quietlie on foote to the parliament hous"—thus doing the very thing for which poor Aberdeen had suffered reproach and indignity!

A still more serious matter disturbed the Red Parliament. Among the westland nobles present in Perth were the Earls of Glencairn and Eglinton; the two sons of the Earl of Winton, George, the Master of Winton, and Sir Alexander Seton. These brothers were nephews of the Lord Chancellor, Sir Alexander Seton, Earl of Dunfermline, and were also so closely related to Hugh, Earl of Eglinton, that on his demise without

issue in 1612, his succession fell to the younger, Sir Alexander. The families of Glencairn and Eglinton had been long at feud, which was embittered by the death of Earl Hugh's father, "a young nobleman of a fair and large stature," whom, in April, 1586, John Cunningham of Ross, brother of Glencairn, and several accomplices named Cunningham, Maxwell, and Ryburn assassinated, by shooting him "as he was passing out of his own house of Penon towards Stirling." Various efforts to staunch the feud were made by the King and the Privy Council; for Glencairn himself was sought to be held answerable for the foul deed, upon no better grounds than that he was the head of the Cunninghams, and that the assassins had eluded punishment—though he denied all implication. A form of assurance to keep the peace, under a pecuniary penalty, was drawn up by the Privy Council, on 21st January, 1606, and seems to have been accepted by both parties; but this bond of amity was soon accidentally broken.

It happened that about seven o'clock in the evening of Tuesday, the opening day of the Parliament, and immediately after supper time, when the western sun was suffusing the bald breast of Kinnoull hill, and the green and gowany Inches of the city, with mellow glory, the two Setons, attended by some nine or ten armed retainers, were on their way to Lord Eglinton's lodging. Near the town end of the Bridge—at the foot of the High Street—"in the Bridgegate," as Archbishop Spottiswoode describes the place—they accidentally crossed the path of the Earl of Glencairn, who was accompanied by thirty servants. As the two companies passed each other, some of the menials of both houses—"some rascal servants in the rear of their companies," as is told,

“being more malicious and quarrelsome” than their masters—drew their swords, and began to fight together. In a moment they were joined by the rest of their comrades, and the conflict became general. Shouts and slogans, and the clashing din of sword and buckler, resounded up the High Street, spreading terror and dismay. The Winton men were much outnumbered, but they seem to have been stout fellows; for they stood their ground with great resolution, maintaining the battle for fully three hours, till, at last, “the town rose in arms, and put down the assaulters, to their great commendation.” One man, John Mathie, servant to Glencairn, was killed in the conflict, and several of the combatants were wounded. Had the British Solomon been in Perth, and heard the battle, perchance he would have shown as much terror as he did when Bothwell broke into Holyrood, in June, 1593, causing His Majesty to come “frae the back-stair, with his breeks in his hand, in ane fear.”

As soon as the strife was quelled, the Privy Council sent Heralds to the two Setons, charging them to ward themselves in their lodgings, there to abide whatever ulterior proceedings should be adopted; but they fled from the city that same night. The Council sat on the morrow, and ordained letters to be directed charging the brothers to compare before them, “at Perth, or where it shall happen them to be for the time, upon the sixth day next after the said charge, to answer to such things as shall be laid to their charge touching the insolence committed by them” on the street, and also “touching the break of ward.” The brothers gave no heed to the summons; and, on 10th July, the Council,

still at Perth, denounced them both as rebels for their non-compearance.

The Council despatched an account of the affay to the King, adding that the "fact, as it was very offensive to the noblemen and Council, in respect of the time and place, so has it in particular so grieved my Lord Chancellor, as having discharged his brother's sons, and all that were with them, any ways to come in his presence, so is he also bent as any man living to have the truth of the occasion and beginning of that insolence precisely tried and condignly punished, without respect or favour of any person." The King, who had had painful experiences of such feuds in Scotland, wrote back to the Council, on 6th August, directing them to make strict investigation as to how the broil fell out, and which of the two parties began it, whether it was intentional, or by accident, or *chaud mele*, unintended by either of the two parties against the other, and also that the Justice General, High Constable, or other officers, should proceed to try the matter criminally.

On receipt of the royal missive, the Privy Council set to work with a desire to compose the quarrel amicably without resorting to criminal prosecution. But they found their course beset with difficulties. The feud involved other families in the west, and particularly Lord Semple, who was related to the house of Eglinton. The Council called Eglinton, Glencairn, and Semple before them, and proposed that they should enter into a submission of their differences. To this, Eglinton and Semple agreed. Glencairn, on the other hand, "directly refused to submit, because the submission imported against him of the slaughter of the late Earl of Eglinton, which he would never take upon him ; but offered him-

self ready to stand trial at law for the slaughter, and held that such trial ought to precede the submission." The whole question was adjourned till the 20th of November ; and in the end Eglinton and Glencairn, with a number of their respective friends (including John Cunningham of Ross, the assassin), entered into the submission, which resulted in their apparent reconciliation.

A reconciliation betwixt Semple and Glencairn, however, took longer time to be effected. It was not brought about till the 22nd May, 1609 ; and then the scene was Glasgow Green. The Town Council of Glasgow arranged that the Provost, with one of the Bailies and the whole members of Council, should go to the Green, attended by forty citizens in arms ; while the other two Bailies, each attended by sixty of the citizens, with "lang weapons and swords," should "accompany and convoy the said noblemen, with their friends, in and out, in making their reconciliation." And so the pacification was happily concluded.

The Red Parliament—and no other Parliament was held in Perth till the times of the Covenant—was long remembered by the citizens who had witnessed its splendours and its troubles. Nay more, its devotion to the cause of Episcopacy was thought to entail great misfortune upon the town. The stately bridge, which John Mylne, the King's Master Mason, built, was destroyed in October, 1621, by a terrible inundation of the Tay. In those days people were extremely prone to point out "judgments," and the fall of the bridge was traced to the sins of the Burgh and of its Red Parliament. "The people," writes Calderwood, "ascribed this judgment inflicted upon the town to the iniquity committed at a General Assembly holden there. In

this town was holden also another General Assembly, the year 1596, whereupon followed the schism which yet endureth. In this town was also holden the Parliament at which Bishops were erected, and the Lords rode in their scarlet gowns."*

APPENDIX.

THE PARLIAMENT HOUSE OF PERTH.--In olden times, Parliaments (some, at least) assembled in the Church of the Dominican Monastery at Perth, where also most, if not all, of the National Councils of the Scottish Church were held. By the beginning of the seventeenth century, a meeting-place for Parliaments was found in a large building within an entry on the north side of the High Street. The entry was once known as "Bunch's Vennel," but afterwards as "Parliament Close," which latter designation it still retains. It was about sixty paces west of the Market Cross, which stood in the middle of the High Street, between the Kirkgate and the Skinnesgate. The following notice of the demolition of the Parliament House appeared in the *Edinburgh Annual Register* for 1812, Part II., p. 93:—

* Authorities:—Calderwood's *History of the Kirk of Scotland*, vol. vi., pp. 485-494, vol. vii., p. 513; Melvill's *Autobiography and Diary*, pp. 636-641; Archbishop Spottiswoode's *History*, vol. iii., p. 175; Pitcairn's *Criminal Trials*, vol. i. p. 354, vol. iii., 579; Chambers' *Domestic Annals of Scotland*, vol. i., p. 394; *Notes and Queries*, Fourth Series, vol. i., p. 96; *Register of the Privy Council of Scotland*, vol. vii., pp. 57, 160, 221-3, 233-4, 249, 288, 296, 328, 498-9; Moyses' *Memoirs of the Affairs of Scotland*, 1755, p. 107.

June 11th.—*Perth.*—The old Parliament House of this place, which was lately purchased by Mr. Duncan, druggist, has just been taken down to make room for a new house, which the proprietor means to build upon its site. Saturday last, the workmen, who were employed in digging a vault for the intended structure, discovered a large quantity of silver coins, about eighteen inches below the level of the street. These had probably been deposited in a box, but no vestiges of it, except a single hinge, could be discovered. The coins themselves were in a state of oxydation, and many of them adhering together in a lump. The whole weighed 5lb. 14oz. They seem to be chiefly English and Scotch pennies of the thirteenth century. Mr. Duncan has been very liberal in distributing specimens of this collection among his friends, and has presented a few of the best to the Literary and Antiquarian Society. Among the latter is a coin of John Baliol.

The site is now occupied by the Royal Arch Mason Lodge.

XII.—The Kirk of Blair Tragedy.

Calphurnia.—What mean you Cæsar? Think you to walk forth?
You shall not stir out of your house to-day.

Cæsar.—What can be avoided,
Whose end is purposed by the mighty gods?
Yet Cæsar shall go forth.

—*Julius Cæsar*.

The power that I have on you, is to spare you ;
The malice towards you, to forgive you : Live,
And deal with others better.

—*Cymbeline*.

THE times have been—and happily they are long over—when “deadly feud” played sad havoc in this country, generally defying the powers of law and order. It was not confined to the wild and warlike clans of the north. Our historical and criminal records teem with examples of the desperate violence which sprung out of the rivalries and quarrels of Lowland houses. The great Barons made open war on each other like the Chiefs of the Highlands ; and the lesser lairds were equally prone to vindicate or avenge, at their own hands, their personal rights or wrongs. Ever and anon the commission of some barbarous deed sent a thrill of horror through the land, and shamed a feeble executive, which possessed

no adequate means of repression or punishment. Not unfrequently the evil was aggravated, and confusion worse confounded, when Government, painfully conscious of its inability to cope with and quell two contending parties or combinations of parties, gave commission to the one side to put down the other, as in the case of the Clan Gregor. At the same time existed the recognised principle of *assythment* or monetary compensation for crime. If a murderer could induce the kindred of his victim to accept a pecuniary mulct or other reparation for what he had done; if he procured from them what was called a *Letter of Slaines*, he was entitled to the royal pardon, and so went free and unchallenged. It may be true, as has been said, that this principle (anciently prevalent among many nations, and originating in the idea that the resentment of injuries sustained was a private, not a public duty) was calculated to prevent the perpetuation of revenge, and probably to some extent it accomplished that purpose when the law was weak and the offender strong; but on the other hand it must have had a tendency to abate any restraint which the dread of capital retribution might impose upon men of malignant passions. Illustration of this system, as well as of the unruly state of society in Scotland a few years antecedent to the Reformation, will be afforded by the ensuing narrative of the assassination of a father and son, in open daylight, on a Sunday afternoon, near the old parish kirk of Blair, now Blairgowrie, in Perthshire, but then called Blair, in Stormont.

Sir Walter Drummond, lord of Cargill and Stobhall, and (according to genealogical reckoning) thirteenth chief of the house of Drummond, flourished in the

reigns of the first two Jameses of Scotland. His lady was Margaret, daughter of Sir William Ruthven, ancestor of the Lords of Ruthven and Earls of Gowrie. Sir Walter was knighted by James II., and died about 1445, leaving three sons—Malcolm, who succeeded him; John, who entered the Church, and became Dean of Dunblane and parson of Kinnoull; and Walter, whose near descendants figure prominently in the story which we have to tell. In the year 1486, Walter got a charter of the lands of Ledcrieff from his nephew, Sir John (son of his brother Malcolm), the first Lord Drummond. Walter of Ledcrieff left two sons—John, his heir; and James. John, called of Ledcrieff and Flaskhill, had one son, George, who married Janet Halyburton, of the honse of Buttergask, in Blairgowrie parish; of which union came two sons, George and William, and a daughter. George, the husband of Janet Halyburton succeeded his father in the family patrimony, and purchased the lands of Newton of Blair or Blairgowrie. Apparently after this last acquisition arose the deadly feud, which culminated in the Sabbath-day murders at the Kirk. From one cause or another, bitter hatred against George Drummond of Blair was engendered in the breasts of three of his neighbours, John Butter of Gormock, William Chalmer of Drumlochie, and John Blair of Ardblair. From what can be gathered, the quarrel lay principally on the part of Gormok, and so deep was his animosity that nothing could appease it but slaughter. He took counsel with Drumlochie and Ardblair; and they being fully embued like himself with the fierce and turbulent spirit of the age, were ready to back him in any enterprise to satiate his craving for revenge. Gormok nursed his wrath to

fever heat, and finally resolved, with the hearty concurrence of his friends, to put Drummond to death : nay more, it would seem, from what subsequently happened, that they intended root and branch work—the destruction of Drummond and his two sons. It is altogether uncertain whether Drummond, though on unfriendly terms with the three Lairds, had suspicions of the desperate nature of the enmity which they bore him : at all events, his neglect of the most ordinary precautions for safety at the critical juncture would indicate his ignorance of the plot contrived against him.

A summer Sunday in 1554—it was the 3rd of June—was chosen by the confederates for the consummation of their vengeance. Their plan was deliberate murder, to be done at the Parish Kirk. The three Lairds mustered their friends and dependants in arms ; and their following comprised William Roy, George Tullyduff, William Chalmer, George M'Nesker, fiddler, and others, Drumlochie's household-men ; Robert Smith, with tenants and cottars of Drumlochie ; Andrew and Thomas Blair, Ardblair's sons, with David M'Raithy, his household-man, and Peter Blair and two others, tenants of Ardblair ; William Chalmer in Cloquhat ; Alexander Blair, half-brother to Gormok ; William Butter ; David Blair in Knokmaheir, with John and Patrick, his sons ; William Young of Torrence, and Thomas Robertson, tenants to the Laird of Gormok ; and others of their accomplices, “ to the number ”—as the record bears—“ of 80 persons, bodin in feir of weir, with jacks, coats of mail, steel-bonnets, lance-staves, bows, lang culverins, with lighted lunts (burning matches), and other weapons invasive.” Their opportunity (as already said) was to be found at the kirk, where the Drummonds, dreading

nothing, were expected to attend the services of the day. Obviously it was designed to fall upon the Drummonds either before their entering or after their leaving the church ; for we need not go the length of supposing that the conspirators were so abandoned in villainy as to determine on perpetrating murder in the sacred edifice itself—a sacrilegious atrocity which would draw upon their heads the spiritual thunders of the ecclesiastical power in addition to the vengeance of the civil magistrate. Yet such a height of turpitude had occasionally been reached by human depravity. Murder had been committed in the house of God before. The Pazzi of Florence appointed the moment when Lorenzo and Giuliano de Medici should be kneeling at high mass in the Cathedral, for the assassination of the brothers : which plot was concocted under the direct auspices of Pope Sixtus IV., and resulted in Giuliano's death. In Scotland, parish churches were often the scenes of violence down to a much later period. Lord Binning, speaking in the Scottish Parliament of 1616, mentions “the parish churches and churchyards being more frequented upon the Sunday for advantages of neighbourly malice and mischief nor for God's service.”

The Laids and their party came, says the record, to the Parish Kirk of Blair, thinking to have slain Drummond and his youngest son, William, whom they fancied would accompany him ; from which we may infer that the eldest son, George, who was married and had children, was not at Newton that day, and probably did not reside there at all. Farther, it is not said that Drummond and his son, William, went to church : the record only stating that the party “could not come to their perverse purpose.” How the perverse purpose

failed is nowhere explained. But we may observe here that we ought not to imagine, from the narrative given in the record, that the Lairds marched their men to the kirk in martial order, with loaded culverins and lighted lunts—the description being couched in a purely formal style. Such a demonstration would have defeated its object by alarming the Drummonds: and an attack upon the church, after worship was begun, was obviously not intended. What we may understand is, that the Lairds and their followers went to the kirk, partly singly and partly in small detached groups, just as they were in the habit of doing every week, for Blair was their Parish Kirk, as it was George Drummond's. They were armed, no doubt; but in those troubled days, persons in the country districts went armed both to kirk and market; and, therefore, the appearance of the conspirators would excite no apprehension. Either the Drummonds were not at church that day, or, if they were, their enemies were prevented from carrying their fell design into execution; and so, baulked in their hopes, they retired from Blair, and proceeded to the house or Place of Gormok to partake of dinner. On sitting down at table, the Lairds, still breathing forth threatenings, sent out spies to watch the Place of Blair, and bring back speedy word if they saw the Drummonds stir abroad.

The Place of Blair, or Newton of Blair, the seat of George Drummond, was an old, strongly-built, half-castellated manor house, standing high on the eastern side of the hill facing the village of Blairgowrie, and overlooking the wide and lovely expanse of the fertile plain of Strathmore. The residence of the Laird of Ardblair was situated to the south-west, beside the lake

of the same name, and surrounded on three sides by its waters ; while in the contrary direction from Blairgowrie, were the House of Gormok and the Castle of Drumlochrie, and in their immediate vicinity was the ancient Castle of Glasclune, held by the Herings or Herons. It was an easy distance from Gormok to Blair. The spies soon traversed it, and soon returned with the welcome intelligence that George Drummond and his son, William, had left Newton and gone down to the village to recreate themselves in some of the pastimes which were accounted lawful on the Sunday afternoons, after the service of the church, under the Romish order of things.

Granting that the Drummonds had been kept at home by the suspicious presence of their foes, what more natural than that, after the latter were gone away, the father and son should deem all danger removed, and embrace the opportunity of venturing out of doors ? They accordingly descended the hill, and crossed over to the market-stance of Blair, an open space close to the Parish Kirk, and there proceeded with their recreation. The game in which they engaged was a quiet one—the “row-bowls,” a species of what we now call *bowling*. In that age, there were at least two bowling games practised—the “lang bowls,” at which James III. played in St. Andrews, on 28th April, 1487, and the “row-bowls ” which we find James IV. patronising on 20th June, 1501, according to entries in the Lord Treasurer’s accounts.

The three Lairds, on receiving the report of their active scouts, started from table, and hastened towards Blair with the fixed design of embruuing their hands in the life-blood of their enemies. We can well suppose

that now the mail-coats and the steel-bonnets appeared, with the lances, culverins, and burning matches. Meanwhile, the father and son were busy with their sport in the market-place, never dreaming of the deadly storm about to break upon them. They were alone "at their pastime play," it is stated, "and at the row-bowls in the High Market-gate beside the kirk of Blair, in sober manner, trusting no trouble nor harm to have been done to them, but to have lived under God's peace and the Queen's," when, about two o'clock in the afternoon, the armed party came upon them, to the number of 66 men—more than a dozen of the original 80 having apparently drawn back. The players were surrounded and attacked, without the slightest chance of assistance or escape. The assailants overpowered and cut them both down,—stabbed and shot them,—“cruelly slew them, upon auld feud and forethought felony, set purpose and provision, in high contempt of the Queen's authority and laws.” Having finished their bloody work, the assassins left the mangled corpses lying where they had fallen on the bowling-ground, and made their retreat, exulting in the triumph of their revenge. The shouts and cries, the clash of steel, the reports of fire-arms, had alarmed the denizens of the village, and now they crowded in consternation and horror to the fatal spot. Drummond and his son were dead, pierced and gashed with many wounds, and the bodies were borne by the peasants up the hill to Newton.

Without delay, accusation was laid against the murderers, the principal of whom were well known; and the constituted authorities acted with commendable alacrity. The Privy Council, on 4th June, issued a commission to Lord Ruthven, “to search, pursue, and

take the Lairds of Ardblair and Drumlochie, and charge the country of Perthshire," of which Ruthven was Hereditary Sheriff, "to assist him therein if need be, under the pain of treason, to seize houses and raise fire." On the 13th of the same month, a summons was issued, addressed to the Sheriff of Perth and Messenger-at-Arms, for apprehending and bringing the three Lairds and their accomplices before the Queen and Privy Council, or take security for their appearance before the Justices in the Tolbooth of Edinburgh, on the 3rd of July. "And that ye charge them personally, gif they can be apprehended," said the writ; "and failing thereof, by open proclamation at the market-cross of the said head burgh of our shire, where they dwell, to come and find the said surety to you, within six days next after they be charged by you thereto, under the pain of rebellion and putting of them to our horn: the whilk six days being bypast, and the said surety not found to you in manner foresaid, that ye incontinent thereafter denounce the disobeyers our rebels, and put them to our horn; and escheat and inbring all their moveable goods to our use, for their contempt." The Laird of Gormok found the requisite caution for himself—his sureties being John Crichton of Strathord and James Hering of Glasclune. But on the 4th August, the record bears that John Butter of Gormok was denounced rebel and put to the horn for not underlying the law for art and part of the cruel slaughter of George Drummond of Ledcreeff and William, his son; and the cautioners, Strathord and Gasclune, were accordingly amerced. None of Gormok's confederates had as yet underlain the law, nor seemingly had they found caution.

The Executive, weak as it generally was at all times, proved unremitting in its efforts to lay hold of the culprits. All or most of them had sought refuge in the north, and, it becoming known by whom they were resettled, corresponding measures were taken. On the 16th November, George Gordon of Scheves (who is styled knight, in another case, on 12th October, 1564), James Gordon of Lesmore, and Gilbert Gray of Scheves, found caution to underly the law at the next Aire (or Court) of Aberdeen, for resetting, intercommuning, and supplying William Chalmer of Drumlochrie and his accomplices, rebels at the horn for the slaughter of the Drummonds; and for affording the said rebels meat, drink, and other necessities, in the months of July and August last. But two of the murderers were ultimately seized, and, being sent to Edinburgh, were tried for their lives, before the Justiciary, on the 12th December, same year, 1554. Their names were Patrick Blair, a tenant in Ardblair, and Robert Smyth *alias* Henry, a tenant in Drumlochry. They were both convicted of the slaughters laid to their charge, and were condemned to lose their heads. In terms of the sentence, they died by the axe of the executioner.

This was some expiation, though rather late in the day; but the chief offenders, the instigators of the crime, were still at large, though living in constant dread of arrest. Lord Drummond, as kinsman of the bereaved family of Newton, had taken up the cause as his own, and was using every endeavour to bring the fugitives to justice, so that they had good reason still to dread the worst. Two of their associates, perhaps not guiltier than any of the others, had already mounted the scaffold, and more would share the like

fate if the law could lay its grasp upon them. Time dragged on—a weary time of anxiety and fear ; until at length the Lairds made overtures for assythment, according to the custom of the country. What they desired was to obtain a *Letter of Slaines*, freeing and relieving them of the legal burden of their crime. As this obsolete kind of deed is curious and little known, we shall lay the principal portion of such a document before the reader, as it will render the subsequent stages of the case in hand better understood. The form of Letter which we now quote is of comparatively late date, and runs in the name of the widow of a deceased person, A. B., and as taking burden on her for her children, then in their minority, and also in the names of the nearest of kin and tutors of line to the said children, and as taking burden for them ; and the paper then proceeds :—

Forsameikle as we, in consideration of the repenting heart inwardly had, and manifested, declared, and shown to us by C.D., for the accidental slaughter of the said deceased A.B., upon the — day of — last bypast, — years ; and also because the said C.D., and others in his name, have made condign satisfaction to us for the said slaughter, and hath made payment to us of certain sums of money, in name of kinboot and assythment : therefore, and for certain other good causes and considerations moving us, we, with one consent, and taking burden as said is, have remitted, forgiven, and discharged, and by the tenor thereof, freely remits, forgives, and discharges the said C.D. of all malice, rancour, grudge, hatred, envy of heart, and all occasions of actions, civil or criminal, which we, or any of us, had, has, or any ways may have in time coming, against the said C.D. for the said crime, and by thir presents, receive him in such amity, friendship, and hearty kindness, as he was with us before the committing of the said crime, and as the same had never been committed ; and we, the beforenamed persons, for ourselves, and in name and behalf of the

said children, in respect of their minority and lesser age, binds and obliges us, that the said C.D. shall never be called, pursued, by way of deed or otherwise, in or by the law, by us, or any of us, for his committing of the said slaughter, in time coming, under the pain of perjury, defamation, tinsell [loss] of faith, truth, and credit : and also we, for ourselves, and in name foresaid, by thir presents, will and grant that the said C.D. shall not suffer exile, banishment, or any trouble whatsoniever, through the premises : most humbly beseeching his most gracious Majesty to grant also a pardon and remission, under the Great Seal, in most ample form, to the said C.D. for the foresaid crime : likeas we, or any of us, binds and obliges us to renew, reform, reiterate, ratify, and approve thir presents, as oft and whensoever we, or any of us, be required thereto, in the most ample form. In witness whereof, &c.

Proposals for accommodation were accordingly tendered to the Drummonds. The three Lairds and their confederates made offer to Lord Drummond and young George Drummond, the heir of Newton and Ledcrieff, that they would do penance for their crime by pilgrimage ; that they would cause prayers to be offered, in Blair Kirk, or any other, for the repose of the souls of their victims ; that they would do homage to the family ; and that they would pay 1000 merks. The paper which they gave in was the following :—

THE OFFERS offered by the Laird of Gormok, &c., to young George Drummond of Blair, for the slaughter of his father.

THIR are the OFFERS whilk the Lords of Gormok, Drumlochie, and Arblair, and their colleagues, offers to my Lord Drummond and the son of umquhill George Drummond, his wife and bairns, kin and friends, &c. :—

Item; *In primis*, To gang, or cause to gang, to the four head Pilgrimages in Scotland.

Secondly. To do suffrage for the soul of the dead, at his Parish Kirk, or what other kirk they please, for certain years to come.

Thirdly. To do honour to the kin and friends, as use is.

Fourthly. To assyth, the party is content to give to the kin, wife, and bairns, 1000 merk.

Fifthly. Gif thir Offers be not sufficient thought by the party and friends of the dead, we are content to underly (submit) and augment or pare (reduce), as reasonable friends think expedient, in so far as we may lesumly (lawfully).

The four chief Pilgrimages of Scotland, assigned for persons under penance for crime, were *Melrose, Dundee, Scone*, and *Paisley*. "To do honour to the kin and friends" was to perform homage to them; the culprit, we are told, came before the nearest of kin (reckoned the avenger of blood), and in presence of the other blood-relations of the deceased, having a halter about his neck, and kneeling down, offered his drawn sword by the point, and humbly craved forgiveness.

The offers did not satisfy the friends; and really the whole compensation proposed for the dastardly assassination of a father and his son fell little short of a mockery. But various considerations had to be taken into account. The Lairds had hitherto eluded justice; but their lives were still at stake, and there was the possibility that, if no arrangement could be effected, desperation might drive them into the commission of some new atrocity upon their pursuers. For that reason alone, it was expedient that the matter should be amicably composed. The friends sent back answers, implying that they were willing to come to terms, but declaring those offered insufficient.

ANSWERS by my Lord Drummond, &c., to the above OFFERS.

THIR are the ANSWERS that my Lord Drummond, his kin and friends, makes to the OFFERS presently given in by the Lairds of Gormok, Drumlochic, and Arblair, with their colleagues:—

Item, As to the first, second, and third article, they are so general and simple in theself (themselves) that they require no answer.

Item, As to the fourth article, offering to the kin, friends, wife, and bairns of George Drummond 1000 merk for the committing of so high, cruel, and abominable slaughters, and mutilations, of set purpose, devised of auld by the Laird of Gormok, and George Drummond, his son, nor nane of his friends never offending to them, neither by drawing of blood, taking of kirks, tacks, steadings, or rooms ower ony of their heads, or their friends ; so, in respect hereof, my Lord Drummond, his kin, friends, the wife and bairns of George Drummond, can on noways be content herewith.

It is here distinctly stated, for the only time in the papers extant, that Gormok was the prime instigator of the murders. As to the farther progress of the negotiation, we are left a good deal in the dark ; but from the documents still to be adduced, we seem justified in conjecturing that all three Lairds succeeded in making their peace, though the agreement with only one of them remains on record.

That the Lairds of Gormok and Ardblair made their peace with the Drummonds may be inferred from the existence of documents shewing that, after the lapse of four years, the Laird of Drumlochie obtained a Letter of Slaines for himself, his cousin, and six of his servants. By the time Drumlochie was thus relieved from the terrors of the law, he had become reduced to desperate circumstances, so that he was able to pay no pecuniary assythment whatever. He declared that he was brought to the miserable pass of having neither lands, goods, nor money, all apparently through his concern in the assassination at Blair ; but he made propositions which the Drummonds were pleased to entertain, and so a painful business was closed.

THE OFFERS of William Chalmer of Drumlochie, for himself, William Chalmer, his cousin, George Tulydaf, William Chalmer, John Fydlar, James Key, John Barry, John Wood, his servants.

IN THE FIRST, the said William offers to compear before my Lord Drummond, and the remanent friends of umquhile George Drummond, and there to offer to his lordship, and the party, ane naked sword by the point ; and siclike to do all other honour to my lord, his house and friends, that shall be thought reasonable in siclike cases.

Item, offers to give my Lord and his heirs his *Bond of Manrent*, in competent and due form, sic as may stand with the Acts of Parliament and laws of this realm.

Item, because through extreme persecution by the laws of this realm, the said William has neither lands, goods, nor money, he therefore offers his son's marriage to be married upon George Drummond's daughter, freely without any tocher : and siclike the marriage of the said William Chalmer, his cousin, to the said George's sister.

Item, the said William offers him ready to any other thing whilk is possible to him, as please my Lord and friends to lay to his charge, except his life and heritage.

The Bond of Manrent was a formal obligation to render personal military service to Lord Drummond on all occasions when required to take the field, and against all enemies save the Sovereign. The Drummonds, making the best of a bad bargain, accepted of the first two propositions offered, and gave the Laird a Letter of Slaines, upon which he executed and delivered his Bond of Manrent.

The Laird of Drumlochie's Bond of Manrent.

BE IT KENNED till all men by thir present letters, me William Chalmer of Drumlochie, that forsameikle as ane noble and mighty lord, David, Lord Drummond, and certain other principals of the

four branches and most special and nearest of the kin and friends of umquhile George Drummond of Leidcreiff, and William Drummond, his son, for themselves, and remanent kin and friends of the said umquhile George and William, has remitted and forgiven to me their slaughters, and given and delivered to me Letters of Slaines thereupon ; and that I am obliged by virtue of ane contract, to give the said noble lord my Bond of Manrent, as the said Contract and Letters of Slaines, delivered to me, fully proports ; therefore to be bound and obliged, and by thir present letters binds and obliges me and my heirs in true and aefauld [one-fold, sincere] Bond of Manrent to the said noble and mighty lord, as Chief to the said umquhile George, and William, his son, and the said Lord's heirs, and shall take true and aefauld part in all and sundry their actions and causes, and ride and gang with them therein, upon their expenses, when they require me or my heirs thereto, against all and sundry persons, our Sovereign Lady and the authority of this realm allanerly excepted : and hereto I bind and oblige me and my heirs to the said noble and mighty Lord, and his heirs, in the straitest form and sicker style of Bond of Manrent that can be devised, no remede nor exception of law to be proponed nor alleged in the contrary. In witness of the whilk thing, to thir present Letters and Bond of Manrent, subscribed with my hand, my seal is hung, at Edinburgh, the fifth day of December, the year of God one thousand five hundred fifty eight years, before thir witness, Andrew Rollok of Duncrub, James Rollok, his son, John Grahame of Garvok, Master John Spens of Condy, and Laurence Spens, his brother, with others divers.

WILZAM CHALMIR of *Drumloquhy*.

The Bond, as will be observed, is dated four years subsequent to the murders at Blair. The granter's seal is appended, bearing a shield parted *per fess*, a demi-lion rampant, with foliage, in the upper half of the shield, and three branches in the lower half: "S. Wilelmi Chalmer."

Although Chalmer says in his offers that he "has neither lands, goods, nor money," yet he is afterwards found possessing Drumlochy, and also another estate

called Clayquhat, which consisted at that time of Nether and Easter Clayquhat and Bohespice, and the lands now called Ashmore. The name Clayquhat is derived from the Gaelic *clach-chiat*—"The rocks of the wild cat"—a very appropriate name for the wild rocky gorge through which the Blackwater pours. The lands came into the Chalmer family by a Charter of David II., and continued in the line until the death of Robert Chalmers upwards of forty years ago, when they fell to the Dicks, one of whom married Robert's sister. The earliest trace of the Chalmers in Drumlochy, is from a Charter granted by King Robert Bruce "to Thomas de Camera, of the lands of Drumlouche, in the Sheriffdom of Perth" (see Robertson's *Index of missing Charters*, page 19, No. 95). A Seal is appended to an Obligation by William Chaumer of Drumlochy, to Thomas Blair of Balthayock, dated 13th May, 1496. It is not known at what period the Chalmerses sold Drumlochy, but it was the property, in two equal parts, of Alexander Robertson, elder, and Alexander Robertson, younger, both of Downie, and valued at £183 6s. 8d. each part, in the *Rentall of the County of Perth, 1649*, page 38.

The Laird of Gormok seems to have mingled in some of the treason of Queen Mary's days, and was laid under arrest. In a letter from the Queen to Archibald, fifth Earl of Argyle, dated at Edinburgh, 31st March, 1566 (and preserved in the Argyle collection), her Majesty directs that the Laird of Gormok, who had been in ward, was to be set at liberty, upon his finding security; "but the sureties ye know maun be Lawland men, and not of the greatest of our nobility, whilks are not commonly taken sureties in sic cases;" and when Gormok was relieved, he was to go to Argyle, and abide in the Earl's

company, till the Queen should be "further advised." That Gormok found the surety required appears from the Register of the Privy Council, which contains an entry of date, 29th April following, to the effect that "George Maxwell of Neuwark, and John Sempill of Foulwod," had "become security that John Butter of Gormok shall remain in free ward in company with the Earl of Argyre, and not pass to the bounds of the Earl of Atholl."

It has been supposed that the Blairs of Ardblair were a branch of the ancient line of Balthayock, whose ancestor was Alexander de Blair of the times of William the Lion and Alexander II. of Scotland. But whether there was any such relationship or not, we come upon a singular transaction in which George Drummond of Blair, son of the murdered Laird, and Alexander Blair, younger of Balthayock, became cautioners for Alexander Blair of Friarton, near Perth, in a case of matrimonial misunderstanding. In the Privy Council Register is entered a contract, dated 27th December, 1567, whereby Alexander Blair, younger of Balthayock, and George Drummond of Blair, became "acted and obliged conjunctly and severally for Alexander Blair of Friertoun, that Jonete Kincragy, spouse to the said Alexander, shall be harmless and skaithless of him and all that he may lett in coming, under the pain of five hundred marks; and also that he shall receive the said Jonete in house, and treat, sustain, and entertain her honestly, as becomes an honest man to do to his wife, in time coming; and also the said Alexander shall pay to the said Jonete the sum of sixteen pounds for her expenses and sustentation the time bygane, viz., the half of the said £16 at Uphallowmass, and the other half at Fastren's Even"; the cautioners further became bound that the

childreu of the said Jonete by her first marriage with the deceased David Lindsay, "shall be thankfully answered and paid of their bairns' part of gear, whereunto they have right as law will ; and in case any question or quarrel arises in time coming betwixt the said Alexander and Janet, they are content to submit judgment thereof to Patrick Lord Lindsay of the Byres and Master James Haliburton, Provost of Dundee, toward the haill premises ; and the said Alexander Blair obliged him to relieve his said sureties of the premises ; and that for him, his heirs, executors, and assignees." Which agreement, we trust, was faithfully fulfilled in restoring harmony betwixt the husband and wife.

At the Castle of Stirling, in May, 1578, King James VI. granted a Commission to Patrick, Master of Gray, James Hering of Glascloune, *John Butter of Garmok*, Alexander Abircrumby of that Ilk, *George Drummond of Blair*, and *William Chalmer of Drumlochrie*, to search and apprehend within the shire of Perth, try by an assize, and cause justice to be executed upon David Hereing in Carnsak, John Hereing, his son, *alias* Black John, John Hereing, his son, *alias* White John, William Kingour, soutar, David Kingour, cowper, and others, with other sorners and broken men, for committing various acts of sorning, robbery, theft, and masterful reif and oppression in the shire of Perth. Here we see the son and brother of the victims at the Kirk of Blair, acting in conjunction with two of the murderers !

In the year 1597, an attack was made upon the house of Ashintully, in Kirkmichael parish, and its laird, Andrew Spalding, was taken prisoner by an armed company of Perthshire gentlemen, with whom he had feud.

The case appears in the Books of Justiciary. On the 24th November, 1598, Sir James Stewart of Auchmadies, Sir James Stewart of Ballieachan, *Patrick Butter, fiar of Gormok*, James Stewart of Bodinschaws, Robert Stewart of Facastell, James Stewart of Force, David Donald of the Grange, Alexander Stewart of Cullelony, *Patrick Blair of Ardblair*, *William Chalmer of Drumlochy*, and eighteen others, were delated for besieging of the Place of Ashintully, and taking of Andrew Spalding, Laird of Ashintully, in the month of November, 1597. Here we find Patrick Butter, fiar or heir of Gormok, evidently the grandson of the Blair assassin; Patrick Blair of Ardblair, perhaps the son of John; and William Chalmer of Drumlochy, who (for aught we can tell) may have been the third assassin. When the case was called in Court—the King's Advocate, Mr. Thomas Hamilton, being pursuer or prosecutor—the accused parties, most of whom had found caution for their attendance, did not all appear. Amongst those who had so found security were Patrick Butter, fiar of Gormok; Patrick Blair of Ardblair; and William Chalmer of Drumlochy. Butter's cautioner was *Domino Drumlochy*—the laird of Drumlochie; Ardblair's was Mercer of Meikleour; and Drumlochie's was Patrick Butter of Gormok, the father, as we take it, of the fiar. The case was not proceeded with that day. The King's Advocate produced his Majesty's warrant for continuation of the diet to the 15th December following. The Laird of Ardbikie; William Wood, sometime of Latoun, now of Banblane; David Campbell, of Easter Denhead; William Chalmer of Drumlochy; and Archibald Herring of Drimmy, offered themselves to the assize, dissented to the continuation, and thereupon asked instruments, in which they were

followed by John Pitcairn at the Mill of Inverkelour. Afterwards, John, Earl of Athol, was repeatedly called as cautioner and surety for James Stewart of Auchmadies, and others, to have entered and presented them ; but no appearance being made, his Lordship was amerced in 500 merks for each of the parties, and the latter were adjudged rebels and put to the horn, and all their moveable goods declared to be escheated. On the 15th December, 1598, the adjourned case came up again, but was continued to the 16th, 19th, 20th, and 21st, on which last diet it was continued further to the 23rd December ; but no other procedure appears in the record—the matter being probably quashed by private agreement.

It has been seen that Ardblair's cautioner was Sir Laurence Mercer of Meikleour. The Mercers had already been connected by marriage with the Blairs of Balthayock—Giles Mercer, one of the daughters of Aldie, and aunt of Sir Laurence, having married Alexander Blair of Balthayock, as her second husband ; and she survived him, and married a third time. In regard to Gormok, again—a portion of that estate, called Wester Gormok, passed into the hands of James Mercer, brother of Sir Laurence Mercer of Meikleour, some time in the beginning of the seventeenth century. The Register of the Privy Council shows that James Mercer and his wife and servants were accused of having unlawfully down-cast and demolished a country bridge near the Mill of Glasclune, on the lands of Robert Stirling of Letter, in the summer of 1618. A formal complaint on the subject was brought before the Council, on 14th January, 1619, but failed for want of proof :—

Apud Edinburgh, xiiij die mensis January, 1619.

Anent our Sovereign Lord's Letters raised at the instance of Robert Stirling of Letter, making mention that where, albeit the demolishing and down-casting of brigs be a crime very hurtful to the commonweal, and of a very rare example to be heard of in any country, notwithstanding it is of truth that lately, upon the xxii day of June last bypast, James Mercer in Wester Gormok ; Bessie Anstruther, his spouse ; William Murray, his servitor ; James Carmichael, Alexander Downy, William Whitehead, John and James Clydes, as servitors to the said James Mercer, and others, their accomplices, and with convocation of his Majesty's lieges to the number of — persons, bodin In feir of weir, come to the Brig of Mylnehoill, standing upon the burn of Feryntre, partaining to the said Complainer, and serving as a common passage to all his Majesty's lieges haunting and resorting that way, and in special as a common passage to and fra his Mill of Glasclune, and cutted, destroyed, demolished, and cast down the said brig, not only to the said Complainer's hurt and skaith, but to the hurt of all his Majesty's lieges haunting that way. The Pursuer and Defender, viz., James Mercer for himself and the others, being personally present, &c., the Lords of Secret Council assoilzies simpliciter the said haill Defenders fra this pursuit and compearance, and fra the haill points, clauses, and articles contained therein ; because the said complaint being admitted to the pursuer's probation, and divers witnesses being produced, the said Pursuer failed in proving any point of the said Complaint against the said Defenders.

The Mercers had also marriage relations with the family of Butter of Gormok. A daughter of Gormok became the spouse of Mercer of Melginch, the representative of a branch of the Meikleour and Aldie stock. who died in February, 1636. The Register of Deeds contains an Obligation by John Mercer, son and heir of the late Laurence Mercer of Melginch, to Katherine Butter, daughter of the late Patrick Butter of Gormok, and relict of the said Laurence, for 8000 merks, which, by marriage contract, was to have been "wairit and bestowit

upon propertie of land" for behoof of the said Katherine; which obligation is dated at St. Andrews and Bowbridge, 10th and 30th June, 1636. In the latter part of the century, the Ardblairs are found to have borrowed sums of money from the Aldies. At Ardblair, on 26th February, 1677, John Blair of Ardblair, and James Blair, fiar thereof, granted a Bond to Mrs. Grizell Mercer, Lady of Aldie, for £190 14s. Scots. At Edinburgh, on 31st March, 1683, James Blair granted a Bond to the said lady for the sum of 400 merks; and at Edinburgh, on 2nd April, 1683, James Blair of Ardblair granted a Bond to her for £18 sterling. Further, a Factory was executed by Dame Grizell Mercer of Aldie, at Paris, on 8th October, 1688, to Mr. David Ramsay, writer in Edinburgh, giving him power to receive and uptake and give receipts for the following debts in her name, viz., £190 14s. Scots from John Blair of Ardblair, and James Blair, fiar thereof, of date, 24th February, 1677; 400 merks Scots from James Blair, fiar of Ardblair, of date 13th March, 1683; £18 sterling from do., of date 2nd April, 1683; and £13 sterling from Patrick Ogilvie of Templehall, of date 3rd April, 168-.

George Drummond of Ledcreeff and Blair, son of the assassinated Laird, was married to Catherine Hay of Megginch, aunt of the first Viscount Dupplin and Earl of Kinnoull. Of this union came five sons, George, John, Henry, Andrew, and James; and four daughters, Sybilla, Elizabeth, Catherine, and Janet. The third son, Henry, took up the profession of arms, and joined the French auxiliary forces of the Queen Regent, Mary of Lorraine, when Leith was held by them against the English under Lord Gray of Wilton, in 1560. George of Blair is entered in the Register of the Privy Council,

on the 7th September, 1569, as having "become surety and law-burrows for David Ramsay, brother-german to George Ramsay of Banff, that Sir Hugh Curry, parson of Esse, should be harmless and skaithless of the said David Ramsay, and all that he may let, in time coming, but fraud or guile, but as law will, under the pain of 500 marks." The Laird of Blair is heard of again in 1583. For some time there had been disputes between Glenurchay and Weem, as to their respective rights in the lands of Cranach, the Rannoch, Auchmore, and others; and Glenurchay was accused of spoliation on the Laird of Weem and his tenants. By a Contract, dated at Perth, the 14th November, 1583, the quarrel regarding the lands was arranged, and all other disputes were referred to the arbitration of John Campbell of Lawers: and the witnesses to this Contract were the Earl of Athol and George Drummond of Blair. The latter, about six years afterwards, did something which incurred the displeasure of James VI.; for, at the Castle of Stirling, on 23rd August, 1589, the King granted a Warrant under the Signet to set at liberty George Drummond of Blair "furth of his present ward within our burgh of Perth and bounds limited to him thereabout." George deceased on 4th January, 1594, and was succeeded by his eldest son, George. The second son, John, had died young. The fourth, Andrew, became minister of Panbride, and left four sons:—Henry, who acquired the lands of Gairdrum; Patrick, who obtained the honour of knighthood, and held the office of Scots Conservator at Campvere; James, who was a clergyman in the Diocese of Durham; and Archibald.

George, third of Blair, married Giles, Lady Mugdrum, a daughter of the house of Abercromby of that Ilk, and

died on the 11th August, 1596, leaving two sons, John and George, and one daughter, Jean. John Drummond became fourth Laird of Blair, and married Agnes, daughter of Sir David Herring or Heron of Lethendy and Glasclune ; but there was no child of the marriage.

John's grandmother, Catherine Hay of Megginch, was still surviving in 1613, when it becomes known that she was at variance with him regarding her liferent right, which she had attempted to assert by violent proceedings. At Edinburgh, on 16th March, 1613, Letters under the Signet were issued, proceeding on a Complaint by John Drummond of Blair, who was heritably infest in the lands of Blair in the shire of Perth, against Catherine Hay, relict of George Drummond of Blair, who pretended she had right of conjunct fee, at least of liferent, to the said lands, that she had suffered the halls, chambers, stables, barns, byres, dove-cots, etc., to perish and decay, fall down, and become altogether ruinous, in roof, thack, walls, doors, windows, keys, locks, purpell walls, joisting, lofting, and other parts," also the close, yards, and dykes of the same, and had destroyed and cut down the greenwood and growing trees, fruit trees, and others, and had not kept the planting and policy of the said lands in the same state that they were at the decease of her said husband ; charging the said Catherine Hay, therefore, to find caution and surety enacted in the Sheriff Court Books of Perth to build up and repair all the halls, chambers, etc., and make them in as good condition as they were in at the decease of her said husband, and to keep them so during his lifetime. Of what followed, we can find no record.

John's sister, Jean, became the wife of her cousin,

Henry Drummond, Laird of Gairdrum. John himself died on the 2nd May, 1620, and having no issue, was succeeded in his inheritance by his only brother, George. This fifth Laird obtained a Royal Charter, of date 9th July, 1634, whereby the town of Blairgowrie was erected into a burgh of barony. He married Marjory Graham, daughter of Bishop Graham of Orkney, who was proprietor of the lands of Gorthy. The son of this marriage, George, who was born at Blair, on the 29th November, 1638, succeeded as sixth Laird on his father's demise. In the year 1682, he sold the estate of Blair; and two years afterwards, in 1684, he made purchase of the lands of Kincardine, in Menteith, from his kinsman, James, Earl of Perth, and Chancellor of Scotland. These lands had once belonged to the family of Montfichet or Montifex, which came over to England in the train of the Conqueror, and subsequently acquired large possessions in Scotland. Sir William Montifex was Justiciar in Scotland in the fourteenth century, and had three daughters, who were his co-heiresses, among whom his estates were divided at his death. To Mary, the eldest of the sisters, he gave the largest share, comprising the baronies of Auchterarder, Cargill, and Kincardine. She was united to Sir John Drummond, who died in 1373; and from the time of that marriage, Kincardine had remained with the house of Drummond. After the Earl of Perth sold the lands, the purchaser changed their designation to Blair-drummond, and erected a suitable memorial-seat. But further than this stage we need not follow the history of the family.

The ancient Place or House of Blair was burned down about the middle of the seventeenth century,—some say during the struggle against the Cromwellian

usurpation in Scotland ; and a story is told that a number of persons concealing themselves in the strong and deep vaults underneath, were preserved from the fury of the conflagration that raged overhead. The edifice was afterwards rebuilt in much of the former style, and continued as the manor-house till near the end of the eighteenth century, when the then proprietor erected a new residence in the neighbourhood. Various ghostly legends belong to the old house,—particularly that it was haunted by a spectre called “The Green Lady,”—one of those “Green-gowns” so common to Scottish castles.*

* Dr. Malcolm's *Genealogical Memoir of the House of Drummond*, p. 144 ; Pitcairn's *Criminal Trials in Scotland*, vol. i., part i., p. 367, 371-374, 453 ; vol. ii., pp. 63, 64, 68 ; Lord Kames' *Historical Law Tracts*: Appendix, No. 1 ; *Tenth Report of the Royal Commissioners on Historical Manuscripts: Papers of Drummond-Moray*, pp. 82, 87-88 ; *Register of the Privy Council of Scotland*, vol. i., pp. 455, 598 ; vol. ii., p. 26 ; vol. xi. p. 497 ; vol. xiv., p. 12 ; Sinclair's *Statistical Account of Scotland*, vol. xvii., p. 191 ; *New Statistical Account of Perthshire*, p. 897 ; *Registers of Deeds* ; Burton's *History of Scotland*, vol. vi., p. 15.

XIII.—The Seneschal of Strathearn.

But say on—

What has occurred, some rash and sudden broil?

A cup too much, a scuffle, and a stab?

—————You have not

Raised a rash hand against one of our order?

If so, withdraw and fly.

—Byron's "*Marino Faliero*."

THE history of the Earldom of Strathearn, the only County Palatinate in Scotland "during the fourteenth, and part of the fifteenth century," stretches far back, seemingly into the age of the fabulous. The first known line of potentates holding this noble domain were of Celtic race, and clung to Celtic habits and usages in the face of Saxon and Norman innovations. The territory over which they bore sway was of great extent—though perhaps scarcely so great as Scotstarvet described it, "the haill lands lying betwixt Cross Macduff at Newburgh, and the west end of Balquhiddy, in length; the Ochill hills and the hills called Montes Grampii, in breadth." Gilbert, the third Earl, was the founder of the Abbey of Inchaffray, in 1198. He and his Countess Maude declared in their Charter that "so much do we love" the spot, "that we have chosen a place of

sepulture in it for us and our successors, and have already there our eldest born." The endowment was bountiful; and five parish churches (those of St. Kattanus of Abbyruthven, St. Ethirnanus of Madderty, St. Patrick of Strogeth, St. Mechesseok of Ochterardouer, and St. Beanus of Kynkell) were included in the grant. To Earl Gilbert has also been attributed—though on slender grounds—the foundation of the Bishopric of Dunblane—his demise being thus recorded in a Chronicle probably written in that see: "Gilbertus fundator canonicorum Insule Missarum et episcopatus Dunblanensis obiit Anno Domini 1223." Some of his successors were generous benefactors of Inchaffray. One of them, Earl Malise, in 1258, presented the Abbey with certain of his slaves (*nativi* was their legal designation)—namely, Gilmory Gillendes, and John Starnes, the son of Thomas and grandson of Thore, with his whole property and children. For absolute serfdom was then a Scottish institution, comprising part of the labouring class, who were bought and sold with the land to which they were attached; and gifts of the *nativi* by their masters to the religious establishments of those times occur frequently in the records; but the Church must be credited with having gradually pursued a system of manumission.

The last four Earls of the Celtic house of Strathearn all bore the name of Malise, and their history is much confused, apparently defying thorough disentanglement. According to the recent researches of Dr. W. F. Skene, the dignity of the third Earl was considerably enhanced by his acquisition, through marriage, of an additional Earldom—that of Caithness and Orkney. The Caithness Earldom was possessed for many generations by the

Norwegian Earls of Orkney, who held the islands under the Kings of Norway, by the Norwegian custom, and Caithness under the Kings of Scotland, its tenure being in conformity with Scottish law. Previous to 1231, when Earl John, the last of these nobles, died, the southern half of Caithness, now called Sutherland, had gone to the family of De Moravia ; and Earl John was succeeded by Magnus, a son of the Earl of Angus, who evidently deriving his right through a Norwegian mother, became Earl of Orkney and Caithness, obtaining only the other half of Caithness. The line of Magnes continued for a century, and ended in a female heiress, Maria, widow of Hugh de Abernetheyn who contracted second nuptials with the third Malise, Earl of Strathearn, and he consequently assumed the title of Caithness and Orkney. The fourth Malise—the last of the Celtic Earls—was attainted and forfeited ; but before this misfortune, the Earldom of Caithness had passed by marriage to the Earl of Ross, and the Earldom of Orkney, also by marriage, to Sir William Sinclair of Roslin.

In 1343, the Strathearn Earldom was conferred by David II. upon Maurice, eldest son of Sir John de Moravia or Moray of Drumsergard, and Mary, daughter of that third Malise who obtained the Caithness and Orkney Earldom. Sir John's bride brought him various lands, including those of Abercairny ; and he was the progenitor, through his second son, Alexander, of the Abercairny Morays. Earl Maurice accompanied his sovereign in the invasion of England, and fell at Durham, where King David was taken prisoner. Maurice left no children. On David's return from his English captivity, he granted the Earldom of Strathearn to Robert, High

Steward of Scotland; and when the Steward ascended the throne, in 1371, as Robert II., he bestowed said Earldom, and also, in the same year, that of Caithness, upon his eldest son, David, by the second marriage. At this time, as would appear, the Strathearn Earldom was constituted a Palatinate—the only one, as already mentioned, that ever existed in Scotland.

What was this Palatinate? Our great authority on Scottish Peerage Law, the late Mr. John Riddell, Advocate, thus endeavours to answer the question: "What was the peculiar nature of the distinction does not appear." But he goes on to say, "It might be inferred" that the title properly of the Earls of Strathearn "was Comes *Palatii*"; which denotes a high dignitary about the Palace, because about the middle of the fourteenth century, Malise Earl of Strathearn is stated to have resigned his Earldom to the English Earl of Warren (Robertson's *Index*, 5); and Selden notices a seal of the latter, where, along with his other titles, he uses those of Earl of Strathearn and Comes *Palatii*,—none of his English fiefs having been Palatinates, and the term *Palatii*, according to his authority, being unknown in England. (*Titles of Honor*, 533.) How the Earls of Strathearn came afterwards to be styled '*Palatine*,' may be explained by a remark of Sir George Mackenzie, that elsewhere, even Earls of the Palace were occasionally termed *Palatine quasi a palatio*." (*Works*, v., ii., 542.) Mr. Riddell adds in a Note—"The epithet '*Earl Palatine*,' however, was liable to various acceptations. It sometimes denoted a subaltern situation, merely officary, with the right of conferring degrees, and constituting notaries, such as was bestowed by the Pope or Empress upon special retainers and functionaries at their

courts. These in the case of the Pope were styled Earls Palatine, 'sacri Palatii,' et aule 'Lateranensis.' Their authority anciently extended to Scotland."

King David, at his death, left no son, but an only daughter, Euphemia. She resigned Caithness to her uncle, Walter Stewart, Lord of Brechin, and afterwards wedded Sir Patrick Graham of Kincardine and Dundaff, who, in her assumed right, took the title of Earl of Strathearn, although the grant by King Robert expressly restricted the descent to heirs male of his son, David.

The heritable jurisdiction, or power to judge in civil and criminal causes, pertaining to the Strathearn Earldom, was delegated by the Earls to a deputy, who was called the Seneschal or Steward of Strathearn, which office became hereditary in the family of the first Seneschal, Malise, younger brother of Earl Gilbert, who founded Inchaffray. The Seneschal's Court was held at what was known as the *Stayt, Schat, or Skeat of Crieff*—an artificial hillock, or sepulchral mound, extending to about twelve yards in diameter, in the middle of a field on the lands of Broich, near the town. The *Skeat* remained entire, distinguished by a couple of flourishing larches, till about forty years ago, when it was levelled and ploughed over, and on its site being excavated, two cists were found, one of which contained human remains and a cinerary urn. The Court was shorn of its *civil* jurisdiction in the reign of James IV., but continued to be held for the trial of criminal causes down to the abolition of the Heritable Jurisdictions in 1748. It had its usual officers, including a headsman or hangman, whose annual salary, in 1741, amounted to £27 9s. Scots, payable in meal and money. Malise, the first Seneschal,

was followed in succession by his son, Gillineff; his grandson, Malise; and his great-grandson, Henry. This Henry had an only daughter, who was married to Sir Maurice Drummond, first knight of Concraig (the ancient name of the rock on which Drummond Castle is built), who obtained with her the lands and offices of her father. The Seneschalship descended to their son, Maurice, who, in 1362, received from Robert, the High Steward, Earl of Strathearn, a charter of the lands of Dalkelrach and Sherymare, with the Coronership of the whole County, and the keeping of the north catkend of Ouchtermuthil, with escheats and other privileges there-to belonging; in 1372, he had a charter of the lands of Carnbaddie; and, afterwards, he obtained the superiority of the lands of Inner Ramsay, Pethie, and Newlands, in the shire of Marr. Maurice's eldest son, Sir John Drummond of Concraig, became third Seneschal of Strathearn of the Drummond branch; and a fatal feud in which he had the misfortune to be involved becomes now the subject of our narrative. He was twice married; first, to the daughter of Ross, Lord of Craigie, near Perth, by whom he had four sons; and second, to Maude de Graham, sister to that Sir Patrick Graham who, by presumed right of his wife, Euphemia, the heiress of David, son of Robert II., made himself Earl of Strathearn. But eventually a quarrel broke out betwixt the two brothers-in-law, converting them into bitter foes.

Sir Alexander Moray, younger brother of Maurice, Earl of Strathearn, on whose death, at the Battle of Durham, the Earldom reverted to the Crown for lack of a direct heir, married the Lady Johanna or Janet de Monymuske, sister of the Scottish Queen, Euphemia

Ross. The match was an ill-assorted and unhappy one ; and, within three years of its celebration, the lady abandoned the society of her husband. He attempted to force her back, and with that object entered into a singular paction. In the Parish Church of Perth, on the 20th April, 1378, it was covenanted between Sir Alexander Moray and Hugh de Ross, baron of Balyndolch (apparently the absconding lady's brother), that the latter should cause to be brought within the diocese of Dunblane Johanna, the wife of the said Alexander, before the ensuing feast of St. John the Baptist, and should cause the said Alexander to be certified of her being there by a warning of seven days, for which he should pay to the said Hugh seven marks before-hand, with other seven on such warning being made, and to be paid on the completion of the deforcement (the forcible bringing of the lady within the diocese) : and if the said Hugh should fail to bring the said Johanna within the said diocese, he should restore the seven marks prepaid to him ; and the said Hugh promised to further by his aid and counsel, and in no way retard, the deforcement.

Such was the bargain. Whether the stipulated "deforcement" took effect or not, is uncertain ; perhaps it succeeded ; for there is a subsequent document, in the form of a discharge, by Hugh Ross of a sum of £17 6s. 8d. sterling received by him from Alexander of Moray, in which the said Alexander was indebted by reason of an agreement made between him and Lady Johanna of Monymusk, in the Parish Church of Fowlis, on 2nd June, 1387. Ultimately, in 1398, the lady executed a will, by which she constituted her husband to be her executor, and bequeathed to him and their children her whole estate, excluding her brothers, sisters, cousins,

male and female, and whole kindred from the disposition of her goods.

Unfortunately, in the year 1391, Sir Alexander Moray chanced to slay a person named William of Spaldyne, for which misdeed he was cited to appear in the Court of the King's Justiciar, to be held at Fowlis by the Justiciar's deputes, Sir John Drummond, the Seneschal, and Maurice of Drummond. The Court sat down, on the 7th December, 1391, when Moray appeared, and by his torspeakers or counsel, Sir Bernard de Hawden and John of Logie, declined the jurisdiction, because he had once before been addicted for this slaughter, and had been repledged to the law of Clan Macduff by Robert, Earl of Fife, and was not bound to answer therefor before any other Judge, until the law to which he had thus been repledged had enjoyed its privilege; and he therefore craved to be acquitted from the present indictment and from all further pursuit thereanent. This declinature was founded on the privilege said to have been granted to the famous Thane of Fife by Malcolm Canmore, after the downfall of Macbeth, that he could repledge from other Courts all persons of his own clan and territory—or, as other accounts state, all persons within "the ninth degree of kin and bluid" to him.*

* As to the right of sanctuary in Scotland, Mr. Riddell quotes Wyntoun, who states that "there were only three originally who were partakers in such a right." The words of Wyntoun are—

"That is, the black Priest of Weddale,
The Thane of Fife, and the third syne
Whoever be Lord of Abernethyne."

Weddale (signifying the "Vale of Woe") anciently comprehended the whole parish of Stow, and belonged to the Bishops of St. Andrews. Mr. Riddell adds that "with us the privilege of sanctuary was by no means so common as has been apprehended."

How did the Judges sitting at Fowlis deal with Moray's plea? It did not satisfy them; but they pronounced no rash decision. The case was continued for the consideration of the Chief Justiciar, the Lord of Brechin. It came before him, and he gave his deliverance that the Law of Clan Macduff did not cover Sir Alexander, and therefore that he should abide trial at Fowlis. Moray obeyed, though doubtless unwillingly; and the Court found him guilty, but did not punish him "with such severities and rigour of law as might have been shewn," that is to say, in common parlance, he was let cheaply off. Notwithstanding, however, of the lenient sentence, he conceived that he was wronged, a burning hatred to the Seneschal arose in his breast, and he straightway devoted himself to the bringing about of revenge. As soon as Sir John's brother-in-law came to be Earl Palatine of Strathearn, Moray and his kindred began to importune him to divest Drummond of the Seneschalship. The Earl heard their insinuations and complaints, and at length, pressed by their persistence, endeavoured to persuade Sir John, for the sake of peace and good neighbourhood, to resign his office; but Sir John held fast by his rights. The brothers-in-law had high words on the matter, and parted with angry recriminations. By the efforts of their friends, a seeming reconciliation was effected, in solemn token of which the Earl and the Seneschal went to the altar and partook together of the Holy Sacrament, thus appealing to heaven that they were sincere in their bond of peace. But the hallowed rite had no permanent efficacy in preventing a recurrence of the quarrel. Moray renewed his sinister representations, and, the better to promote his object, enlisted the influence of his wife, who was

the grand-aunt of Euphemia, Countess of Strathearn. Johanna undertook the ungenerous task, and plied her arts to such purpose that she finally prevailed on the Earl to pledge his word of honour that "he would dispose of the Steward's office as he chose, or he should not be Earl of Strathearn." Moray's end was now in a fair way of being accomplished.

The elements of discord and revenge combined to hurry on a catastrophe. Sometime in the year 1413, Sir John Drummond was holding his Court at the *Skeat* of Crieff, when he was suddenly apprised that the Earl of Strathearn was on the way from Methven at the head of an armed band of retainers, avowedly to break up the Stewartry Court, as the first open step towards depriving the Steward of his office. On this alarming news Sir John's thoughts probably reverted to the dark crime perpetrated, upwards of half-a-century before, by Sir William Douglas, the "Flower of Chivalry," who, because the Sheriffship of Teviotdale, which he coveted and fancied to be his right, was given to his brave companion-in-arms, Sir Alexander Ramsay of Dalhousie, burst into the Sheriff Court at Hawick, assaulted and wounded Ramsay, and carrying him off a prisoner, flung him into the dungeon of Hermitage Castle, where he was deliberately starved to death! With that dread example revolving in his mind, Sir John, a bold and intrepid man, determined to repel force by force. He was well accompanied by friends and attendants, to whom he announced the approaching danger. They flew to arms, declaring that they would make common cause with him. At their head, he hastened to intercept the enemy. The hostile parties soon met near a ruined Druidical circle at Ferntower.

There was no parley. Sir John and his supporters rushed to the encounter, and he, singling out the Earl, struck him to the ground at the first blow. It was a mortal stroke. The Earl, without a word, expired at his brother-in-law's feet ! Confounded by the fate of their lord, his followers instantly scattered, leaving the redoubtable Seneschal in possession of the field.

Sir John and his chief adherents, on a little reflection, dreading the vengeance of the powerful houses of Graham and Moray, lost no time in consulting their own safety by flight from Scotland. They embarked for Ireland ; but a storm drove their bark back upon the Scottish shore, where several of the fugitives were seized. The Seneschal eluded capture, and eventually escaped to Ireland. But two of his captured friends, William and Walter Oliphant, were brought to trial and suffered death for participation in the Earl of Strathearn's slaughter. Sir John himself was outlawed ; but previously, in 1408, he had made over his estate and Seneschalship to his son Malcolm, who now entered into possession. The exile never returned to his native country, but spent his latter years in "Erin's isle," where he died.

The Earldom of Strathearn was resumed by James I., and given to the Earl of Athol, who forfeited it and his life by his share in the King's murder at Perth ; and it was finally declared, in 1442, to have fallen to the Crown. The Seneschalship remained in Sir John Drummond's family until 1473, when his grandson, Maurice, sixth Laird of Concraig, under the pressure of pecuniary difficulties, disposed of the larger portion of his patrimony together with his hereditary office, to Sir John Drummond of Stobhall, afterwards first Lord

Drummond. It is said that "ever since the killing of the Earl of Strathearn, the family" of Concraig "had no settled peace, but were forced to keep house to so many friends and servants for their security, that it brought a consumption upon the fortune, engaged it in burdens, and made" Maurice "part with many of his lands to relieve his debts." The transfer of the office to Drummond gave umbrage to the Abercairny Morays. Maurice's wife was a daughter of Sir Andrew Moray of Abercairny, who had consented to the marriage mainly on the expectation of obtaining the Seneschalship; but Maurice disappointed such hope. In 1474, Winfridus de Moravia of Abercairny, Sheriff-depute of Perth, by virtue of a precept from Chancery, gave seizin, by delivery of a white rod, to Sir John Drummond, of the offices of Steward of Strathearn, and Coroner and keeper of the north catkend of Ouchtermuthil and forestries of Strathearn, with escheats, forfeitures, and fees thereunto belonging.

The knight of Stobhall was speedily disturbed in his acquisition of the Seneschal's office. Before seizin was given him, the Morays turned their hostility against the civil jurisdiction of the Stewartry, and strove to be exempted from it. On a representation to the King, Sir William Murray of Tullibardine obtained a charter, in 1473, making a fresh erection of his lands into a Barony, and granting an exemption of them from the jurisdiction of the Stewards of Strathearn. Shortly after, from some cause or another, Stobhall was displaced from the Seneschalship, and his successor was Tullibardine. Two documents are still extant connected with the procedure of the Court, in 1475, when Tullibardine was Steward. One is a Notarial Instru-

ment, dated the 12th May, 1475, shewing that James Heryng, son and apparent heir of David Heryng of Lethendy, appeared as prolocutor for William Talzour, before Sir William Murray of Tullibardine, Steward of the Stewartry of Strathearn, and John Murray of Trewyne, his Depute, in the Court of the Stewartry, declaring to be false a certain judgment given by the mouth of William Reid, Dempster of the said Court :—

“I, James Heryng, forspeaker for William Talzour, says to you, William Reid, dempster of the Steward Court of Strathearn, that the doom that thou hast given with thy mouth, saying that the brocht [pledge] that Master Thomas of Mureff found is of avail, and the brocht that I, James Heryng, forspeaker for the said William Talzour, found in the Sergeand's hand of the said Court, in the name and on the behalf of the said William, is of no avail, is false and rotten in the self, because it is given express in the contrary of the course of common law, protesting for may reasons to show when myster is, and there to Sergeand of the said Court ane brocht in thy hand, and ane brocht to follow my brocht, and racontyr with in the term of law.” Whereupon the said James Heryng, prolocutor of the said William Talzour, asked in name and on behalf of the said William, from the said Judges, the said judgment to be enrolled in presence of the said Court, pledge and repledge, with the foresaid processes of the said Court, and all and sundry these things to be read in open Court before the said Judges ere the said Court should rise, and asked the said judgment and the said rollment to be sealed with the seal of office of the said Judge, and to be delivered to the said William, and offered the said William to procure, with instance, a seal to be affixed for closing and sealing of the said judgment, and all and sundry things which to the declaration of falsing the said doom could belong in order of law.

This is dry enough reading, and the other paper is not one whit more enlivening. It is another Notarial Instrument taken in the same Court on the same day, at the instance of the said James Heryng, as prolocutor

of William Talzour, by which "he asserted and found a broch in the hand of the Sergeant, or Officer of the Court, that Master Thomas Murray, alleged procurator for John Strang, in a certain cause moved between the said John Strang and the said William, could not be lawful procurator, nor was the said William Talzour bound to answer the said Master Thomas in a lawsuit, nor could the said Master Thomas judicially pursue the said William, because the said Master Thomas was not lawfully constituted procurator for prosecuting or pursuing the said William, neither was security found for the said William by the said John Strang, because he was not constituted procurator but by a certain roll shewn in Court, and not by any procuratory written under the proper seal of the said John, nor under a seal procured, with other points of necessity required for procuratory." Thus we see that legal formality was as much imperative and as circumlocutory four centuries ago as it is now.

Tullibardine, apparently finding reason to deem his first Charter of Exemption not ample enough, procured another from the Crown in 1482. The civil jurisdiction of the Stewartry was now tending to its complete abrogation. In 1483, Umfra Moray appeared in the Court, in presence of Sir William Mureff (Murray), the Steward, and withdrew his suit—*levavit sectam suam de predicta curia*—which was transferred by Crown Charter to the King's Sheriff Court of Perth. But again there came a change in the office of Seneschal. Tullibardine was displaced, and Lord Drummond succeeding him, began at once to vindicate his jurisdiction in defiance of the other's Charters. Tullibardine was summoned to the *Skeat* Court, upon which he petitioned James IV. to

discharge the Steward from such ultroneous proceedings. The petition, we may assume, was granted. Ultimately, the Scottish Parliament gave the last blow to the civil jurisdiction by ratifying, on 5th February, 1505, "the creation and making of the baronies of new create and made within the King's Earldom of Stratherne, within this three years last bypast, and relaxed the said baronies and lands annexed to them fra all service aucht thereof in the Stewart Courts of the King's Earldom of Stratherne, and will that the said service be paid in the King's Sheriff Court at Perth, in all times to come."

The last criminal case which was tried in the Seneschal or Steward's Court, involving sentence of death, happened in the summer of 1682, when the office was held by James Drummond, fourth Earl of Perth, and afterwards Chancellor of Scotland. It was a case of alleged child murder by a clergyman of the district. In 1674, Richard Duncan, A.M., was admitted to the pastoral charge of the parish of Kinkell and Trinity Gask, he being then about twenty-seven years of age. During the next seven years of his incumbency he gradually fell into a course of loose-living: and at the Diocesan Synod of Dunblane, held on 11th October, 1681, the Laird of Machany brought a serious charge against him, the procedure on which is thus recorded in the Register of the Synod :—

The said day the Laird of Machanie presented and gave in to the Bishop [James Ramsay] and Synod ane Supplication subscribed by himself and most part of the heritors and elders of the parish of Kinkell and Trinity Gask, against Mr. Richard Duncan, Minister of the said united churches, representing his gross ignorance in re-baptizing a child belonging to _____, and other gross, rude, and scandalous offences and misdemeanours committed by him, as the said Supplication at mair length contains,

The whilk Supplication the Bishop and Synod taking to their consideration, did find that the ordinary time appointed for keeping the Synod they would hardly get things so decided as the affair requires ; therefore they referred the same Supplication until the 26th of this instant, to be considered, and to think of such overtures as may be for the good of that parish, and to keep union and peace amongst them, and to hear what further shall be brought in upon that Supplication, and to consider the same, and Mr. Duncan's reply to what shall be proposed.

Mr. Richard Duncan, being called in before the Bishop and Synod, was desired by the Bishop to acknowledge these faults and his other guiltiness, and to be humbled for them before God and the present Synod ; but the said Mr. Duncan seemed to be somewhat averse to the same, and so gave little or no satisfaction to the Bishop and Synod.

The Register (which ends on 3rd April, 1688) contains no minute of a meeting on 26th October, and no further notice of this case. But before 1st February, 1682, Mr. Duncan was deposed from the office of the ministry.

Soon a capital crime was laid to the deposed clergyman's charge, namely, that he had murdered an illegitimate child, born to him by his maid-servant (whose name was probably Catherine Stalker), and buried it under a hearthstone in his manse, where its remains were discovered. Having been arrested, he was tried in June, 1682, before the Steward Court, and being convicted, was condemned to the gallows. Lord Fountainhall says that the unhappy man "was convicted on very slender presumptions, which, however they might amount to degradation and banishment, yet it was thought hard to extend them to death." The people of the district are said to have taken much the same view of the sentence. A reprieve was applied for, with the concurrence of the Steward himself. The reprieve was obtained ; but there appears to have been such delay as gave rise to the

belief that it was not to be granted ; and at length the culprit was brought out to die on the famous "Kind gallows of Crieff," which stood near the "Gallowford Road," and after its removal, its site was marked by a lime tree.

The execution took place under singular circumstances. The rope was round the condemned man's neck, when a messenger on horseback was descried hastening forward by the way of Pitkellony, near Muthill, about two miles distant. It was not thought that he was a messenger of grace : and the hangman performed his office. The victim was several minutes dead when the courier reached the foot of the gibbet, and exhibited the reprieve !

The Stewartry of Strathearn and all other heritable jurisdictions in Scotland were abolished by the Act of 1748.*

* Dr. David Malcolm's *Genealogical Memoirs of the House of Drummond*, p. 22 ; *Third Report of the Royal Commissioners on Historical Manuscripts* (Papers of C. D. Moray, Esq., of Abercairney), p. 416 ; Paper on "the ancient Earldom of Strathearn," by W. F. Skene, LL.D., read before the Society of Antiquaries of Scotland, 11th March, 1878 : *Liber Insula Missarum* ; Innes' *Sketches of Early Scotch History*, p. 204 ; *The Beauties of Upper Strathearn* ; Dr. Scott's *Fasti Ecclesiæ Scoticanæ*, vol. ii., p. 782 ; *Register of the Diocesan Synod of Dunblane, 1662-1688*, pp. 182-183, 258 ; Riddell's *Remarks upon Scotch Peerage Law*, pp. 57, 152.

XIV.—Traditionary Stories.

I.

THE LADY OF BOTHWELLHAUGH ; AND LADY ANNE BOTHWELL.

What sheeted phantom wanders wild,
Where mountain Eske through woodland flows?
Her arms enfold a shadowy child —
Oh ! is it she, the pallid rose ?

—*Sir Walter Scott*—“ *Cadyow Castle*.”

FOR three centuries, a tradition concerning the fate of the wife of Bothwellhaugh, who assassinated the Regent Moray, has been generally accepted as a well-authenticated fact in Scottish history ; but we now purpose to show that it rests upon no stable foundation.

The common story is that James Hamilton of Bothwellhaugh, a small estate in Lanarkshire, being, like his kinsmen, an ardent partisan of Mary Queen of Scots, fought under her banner at Langside, and was made prisoner and forfeited. The Regent Moray spared his life and set him at liberty, but gave his wife's lands of Woodhouselee, in Lothian, to Sir John Bellenden, the Lord Justice Clerk, some of whose emissaries drove out the lady from her dwelling there in the most savage

manner, causing her to fall into raving madness; and this grievous wrong incited her husband to shoot the Regent in Linlithgow, on 23rd January, 1569-70. So relates the anonymous author of *The Historie and Life of King James the Sext*, which, from internal evidence, would appear to have been written about 1582—at least, before the death of Queen Mary.* This narrative has been circumstantially adopted by Mr. Patrick Fraser Tytler, in his *History*. Bellenden, he says, “violently occupied the house, and barbarously turned its mistress, during a bitterly cold night, and almost in a state of nakedness, into the woods, where she was found in the morning furiously mad, and insensible to the injury which had been inflicted on her.”

The historian's sister, Miss Ann Fraser Tytler, refers to the tradition, but in a confused way, in the reminiscences of her brother which she contributed to the *Memoir* by the Rev. John W. Burgon: “The tradition was, that the Regent Moray had thrust Lady Anne Bothwell and her child into the woods of Woodhouselee, where she went mad, and perished miserably.” Miss Tytler here confounds two ladies together—Anne Bothwell not being the name of Bothwellhaugh's wife, but that of another lady, who, for her misfortunes, had been commemorated in one of the finest ballads in the Scottish minstrelsy.

* A lengthy *rifacimento* of this MS. was published in 1706 by David Crawford of Drumsoy, Historiographer to Queen Anne, under the title—*Memoirs of the Affairs of Scotland*; but the original MS., in its integrity, was published by Malcolm Lang, the historian, in 1804, and at once exposed Drumsoy's untrustworthiness.

The question—and it is a perplexed one—which we are now to investigate—is whether the common story of Lady Bothwellhaugh is true. It is remarkable that Archbishop Spottiswoode (who was five years old at the time of the Regent's murder, and afterwards had ample means of being acquainted with historical facts) gives, in his *History*, a different and perhaps more reasonable version of the Woodhouselee affair. He states that the faction adverse to the Regent “resolved by some violent means to cut him off; and to bring the matter to pass, one James Hamilton of Bothwellhaugh did offer his service. This man had been imprisoned some time, and being in danger of his life, redeemed the same by making over a parcel of land in Lothian, called Woodhouselee, that came to him by his wife, to Sir James [John] Bellenden, Justice Clerk. How soon he was set at liberty he sought to be repossessed of his own, and not seeing a way to recover it (for the Justice Clerk would not part therewith), he made his quarrel to the Regent, who was most innocent, and had restored him both to life and liberty. The great promises made him by the faction, with his private discontent, did so confirm his mind, as he ceased not till he found the means to put in execution the mischief he had conceived against him.” Here, as will be observed, nothing is said about the lady's alleged ejection.

But to make the whole subject as clear as we can (with materials confessedly limited), we must go back a number of years, and, as it were, “begin at the beginning.”

Oliver Sinclair, Laird of Woodhouselee, a favourite of King James V., was unluckily raised to the command of the second Scottish army of ten thousand men, mustered

for the invasion of England in 1542. The elevation of this personage proved so obnoxious to most of the barons that their open dissatisfaction led to the shameful rout at Solway Moss, which hastened the death of the broken-hearted monarch. Oliver Sinclair and his spouse, Katharine Bellenden, had two daughters, Isabella and Alison Sinclair, who, on the death of their father, became his co-heiresses in the lands of Woodhouselee. It is of great importance to know, in this enquiry, that their mother was sister of Sir John Bellenden, the Lord Justice Clerk, and widow of Francis Bothwell, Provost of Edinburgh, by whom she had a son, Adam Bothwell, who rose to be Commendator of Holyrood, a Lord of Session, and Bishop of Orkney ; and he it was who performed the marriage ceremony of Queen Mary and the Earl of Bothwell. The Bishop was thus the stepson of Oliver Sinclair, and the nephew of Justice Clerk Bellenden.

Before coming of age, the eldest sister, Isabella, appears in a Curatory, entered in the Journal Book of the Official or Commissary of St. Andrews, of date 13th December, 1546, when Lord John Sinclair, Provost of Roslin, and Master John Bellenden, son and apparent heir of Master Thomas Ballantyne of Auchinvulle, were appointed curators *ad litem* to Isabella Sinclair, daughter *naturalis et legitime* (natural and lawful) of Oliver Sinclair and Katherine Ballantyne, with consent of the said Oliver Sinclair, her father and lawful administrator. What the cause or purpose was of this Curatory is not stated ; but here we have the Justice Clerk as a curator of his young niece, whom he was afterwards accused of driving to madness !

The two sisters married two brothers, the sons of

David Hamilton of Bothwellhaugh and his spouse Christian Schaw. Isabella's husband was the eldest son, James, who inherited the estate, and Alison's husband was the second, David, called of Monckton Mains. Both sons were staunch adherents of Queen Mary, and after the Regent Moray's assassination they escaped abroad. As co-heiress of Woodhouselee, the old tower of the domains was held by Isabella, as the elder sister, and she sometimes resided in it and sometimes at Bothwellhaugh. The late Mr. James Maidment, Advocate, a distinguished antiquary and genealogist, states that when Langside was fought and lost, the estate of Woodhouselee was made over to the Justice Clerk, "with a view of protecting the ladies" from the consequences of their husbands' treason, as it was called : and "to give a colour" to the Regent's murder, the assertion was made "that the lady of Bothwellhaugh had been turned out of her own house in a cold winter night with an infant child, went mad, and died in the woods." But the contemporary account does not say that she had any child with her, or that she died from the exposure, but only that she, "what for grief of mind and exceeding cauld that she had then contracted, conceived sic madness as was almost incredible." Certain it is that she did not die at that time, as will be conclusively shown in the sequel.

The Regent's assassin and his brother eluded the hands of the law, which, however, laid hold of two persons as being involved in the crime. At Edinburgh, on 28th February, 1570-71, Christian Schaw, the relict of the deceased David Hamilton of Bothwellhaugh, was dilated, before the High Court of Justiciary, "of art and part of the murder of umquhile James Earl Murray,

Lord Abernethy, Regent, etc., by her special causing, hounding, sending, devising, resetting, command, assistance, ratihabition, etc." There seems to have been no proof forthcoming against the widow, and therefore the case was disposed of by continuing it to the Justiciar of Lanark—Robert Rose of Thornton becoming caution or surety that she should there appear on premonition of fifteen days. The second person arraigned was David Hamilton, "servant to Bothwellhaugh," who, on 29th April, 1572, was convicted, before the Justice-air Court, of "sundry crimes of treason specially mentioned in the Dittay," which, however, is not now extant. He was sentenced to death and hanged.

No further proceedings regarding the Regent's murder seem to have been taken until, in 1579, a Summons of Treason, was raised against the brothers, James and David ; but as it could not be executed personally upon them, as they were out of the country, the Officer or Messenger-at-Arms certified that, not being able to find them, he summoned them "at their dwelling-places in Bothwellhaugh, where *both their wives* and family make their residence." This he did by delivering "an authentic copy" of the Summons "to ilk ane of their said wives, who refused to receive the same in their names." What came of the Summons does not appear ; but the likelihood is that it would be called in Court and the brothers declared forfeited.

Another Hamilton, Arthur by name, and styled as "in Bothwellhaugh," was indicted before the Justiciary Court, on 15th December, 1580, for being accessory to the murder of the Regents Moray and Lennox. He had been imprisoned in Dumbarton Castle, "where," as he says in a petition to the Privy Council, "I have

remained continually sinsyne, having nothing of my own, but sustained upon the expenses of my friends." The Court acquitted him, and shortly afterwards he, then styled "of Bothwellhaugh," was restored to his estate, etc.

There must have been some transmission of the Woodhouselee estate by Sir John Bellenden, of which we fail to find explanation. At Holywoodhouse, on 25th April, 1581, King James VI. confirmed a Charter by William Sinclair, son and heir of the late Edward Sinclair, of Galwaldmoir, of various lands, including those of Woodhouselee, with the tower and manor, in the sheriffdom of Edinburgh, to Sir Lodovico Bellenden of Auchnoull, Knight, Lord Justice Clerk, dated at Edinburgh, 14th April, 1581. Sir Lewis was the eldest son of Sir John, who died about 1577, and succeeded him in the judicial office, but at last met a singular death, if we can believe Sir John Scot of Scotstarvet, who asserts that Sir Lewis, "by curiosity, dealt with a warlock, called Richard Graham, to raise the devil, who having raised him in his own yard in the Canongate, he was thereby so terrified, that he took sickness and thereof died." Graham was a noted necromancer of his time, who, as the Wise Wife of Keith declared, "had wrought meikle mischief," and was burned at the Cross of Edinburgh, on 28th February, 1591-2.

Almost eleven years after the date of the preceding charter, a meeting of the Privy Council was held on 12th January, 1591-2, when a Declaration was made by the King and them, "that David Hamilton of Bothwellhaugh (otherwise designed of Monckton Mains), *Issobell Sinclair* and Alesoun Sinclair, heretrices-portioners of the lands of Woodhouselee, ought and should be re-

possessed to the lands, houses, tacks, steadings, and possessions, whereof they were dispossessed, through occasion of the late troubles," in conformity with the Act of Parliament of 10th December, 1585 (Acts of Parliament, 1585, c. 21, iii. 383), notwithstanding any provision or exception contained to the contrary—"the same being procured by sinister information, far by his Majesty's meaning," and tending "not only to the violation of his Highness' general peace," but to his Majesty's particular favour extended to Claud, Comendator of Paisley, and to his friends, being then in France, "of the which the said David Hamilton of Bothwellhaugh was ape of the maist special." Nevertheless, the Bellendens held possession of Woodhouselee for seventeen years longer ; but probably the co-heiresses were alimented out of the rents from the beginning of their troubles. At a meeting of the Privy Council, on 19th January, 1601, a complaint was made by Sir James Bellenden of Brouchtoun, eldest son of the deceased Sir Lewis, that upon the 10th inst., David Hamilton, younger of Bothwellhaugh, accompanied by

, came armed to the pursuer's lands of Woodhouselee, while they were at their ploughs, and there compelled them to stop by threatening to have their lives if they persisted. The defender not appearing, was denounced rebel.

The two sisters were alive in 1609, when an Act of Parliament was passed restoring to them the estate of Woodhouselee, which they were to "brook and enjoy" peaceably ; and by agreement their claims for by-gone rents were given up, apparently by reason, as Mr. Maidment suggests, "of the Bellendens having furnished the owners during their long extrusion with the means of

subsistence." He further states that Isabella "lived subsequently at Woodhouselee for many years, and did not die until next century"—meaning the seventeenth century ; but as she was born before 1546, and finally restored in 1609, she must have been a very old woman if she died "many years" after that latter date.

Our Scottish historian, Dr. Hill Burton, briefly summarises, in a note, the main facts above stated, and, of course, utterly discards the story of Lady Bothwellhaugh's expulsion, madness, and death. "The cradle of the popular story," he says, "will be found in the *History and Life of King James the Sixth*, a book in which the narrative of a tolerably fair contemporary is mixed up with other matter not to be relied on. . . . Being accepted by Principal Robertson, this story took its place in legitimate history, and it was naturally completed by the additional decorations of the new-born babe and the mother's death."

The old tower or fortalice of Woodhouselee having gone to ruin, a mansion-house was built on another site, and was long the chosen seat of learning and genius under the Tytler family.

In course of time a story got up that the ghost of Bothwellhaugh's wife haunted the ancient tower, and that as part of the stones of this edifice were used in the building of the new house, the apparition transferred its visitations thither ! Miss Fraser Tytler, in her reminiscences already referred to, mentions the tradition "that when the stones of old Woodhouselee were taken to build the new house, the poor ghost"—she calls it that of Lady Anne Bothwell—"still clinging to the domestic hearth, had accompanied these stones : " and its appearances are next narrated :—

There was one bedroom in the house, which, though of no extraordinary dimensions, was always called "the *big* bedroom." Two sides of the walls of this room were covered with very old tapestry, representing subjects from Scripture. Near the head of the bed there was a mysterious-looking small and very old door, which led into a turret fitted up as a dressing-room. From this small door the ghost was wont to issue. No servant would enter "the big bedroom" after dusk, and even in daylight they went in pairs.

To my aunt's old nurse, who constantly resided in the family, and with her daughter Betty, the dairy-maid (a rosy-looking damsel), took charge of the house during the winter, Lady Anne had frequently appeared. Old Catherine was a singularly-interesting looking person in appearance; tall, pale, and thin, and herself like a gentle spirit from the unseen world. We talked to her often of Lady Anne. "'Deed," she said, "I have seen her times out o' number, but I'm in no ways fear'd; I ken weel she canna gang beyond her commission; but there's that silly, feckless thing, Betty, she met her in the lang passage ae nicht in the winter time, and she hadna a drap o' bluid in her face for a fortnight after. She says Lady Anne came sae near her she could see her dress quite weel: it was a Manchester muslin with a wee flower." Oh! how Walter Scott used to laugh at this "wee flower," and hope that Lady Anne would never change her dress.

For several summers Mrs. Scott and he resided at a pretty cottage near Lasswade. within a walk of Woodhouselee. We used frequently to walk down after breakfast and spend the day.

As previously pointed out, this "Lady Anne" was not Lady Bothwellhaugh at all, but the daughter of Andrew Bothwell, Bishop of Orkney, who was connected with the Sinclairs by step-relationship. Lady Anne had for a lover her cousin, Alexander Erskine, third son of John, seventh Earl of Mar, and said to have been one of the handsomest men of his time. But "handsome is that handsome does." He deceived and deserted her. She bore a child to him. Mr. Maidment has concluded that,

in consequence of this wrong and desertion, "she went mad, and died with her child in the woods of the parish of Glencorse, in which Woodhouselee is situated." Her father, who died in 1593, was spared the pain of her dishonour; but her brother, who was ennobled in 1607 as Lord Holywodhouse, lacked the spirit to force Erskine to a reckoning. "The vicinity of Woodhouselee to Glencorse," adds Mr. Maidment, "the similarity of Bothwell to Bothwellhaugh, the belief in the pretended miserable death of the heiress of the former estate, and the real death of the lady's cousin in the same locality, got, in process of time, to be all so much mixed up together, that the popular error is not at all surprising." Dr. Hill Burton seems, however, to regard Mr. Maidment's supposition as to Lady Anne's death with a sort of dubiety.

The ballad of "Lady Anne Bothwell's Lament," makes her tell her infant son not to curse his faithless father :—

But curse not him : perhaps now he,
Stung with remorse, is blessing thee,
Perhaps at death—for who can tell
Whether the Judge of Heaven or Hell,
By some proud foe has struck the blow,
And laid the dear seducer low.

I wish I were into the bounds
Where he lies smother'd in his wounds,
Repeating, as he pants for air,
My name, whom he once call'd his fair;
No woman is so fiercely set,
But she'll forgive, though not forget.

Sir Alexander Erskine did indeed lose his life as a soldier, but not on the field of battle. He served for

some time in the French army, and, on coming back to Scotland, joined the Covenanting forces in the war against Charles I., and was made colonel of a regiment. He was with a party occupying the castle of Dunglass, in Berwickshire, not long after his return home, when a dreadful catastrophe overwhelmed the garrison, which Sir James Balfour thus records in his *Annales of Scotland* :—

The 30 of August, this year, 1640, being Sunday, the Castle of Dunglass was blown up, whether by accident or otherwise is not very certain ; but by all probability, it was done of set purpose : for the Earl of Haddington's page, an Englishman, Edward Paris by name, was supposed to be the actor of this mournful tragedy ; for he had in his custody the keys of the vault where the powder lay, neither would my Lord, his master, trust any with the key but him. He perished there amongst the rest, no part of him was ever found, but an arm, holding an iron spoon in his hand. In this catastrophe, there perished men of most account :—

Thomas, 2d Earl of Haddington ;
 Robert Hamilton, his brother ;
 Mr. Patrick Hamilton, his base [illegitimate] brother ;
Col. Alex. Erskine, 2d son to John, 2d Earl of Mar, late Lord
 Treasurer of Scotland ;
 Sir John Hamilton of Readhouse ;
 James Inglis, of Inglistoun ;
 John Coupar, of Gogar ;
 Sir Alexander Hamilton, of Innerwick ;
 Alexander Hamilton, his son ;
 John Gattes, Minister of Bunckell ;
 Lieutenant John Stirling ;
 George Waughe ;
 David Pringle, Chirurgeon ;

and above 54 common servants, men and women ; there were about 30 gentlemen, and others which were grievously wounded, most of which recovered.

One thing wonderful happened, before this miserable accident, which was, that about eight of the clock, on the Thursday at night before the blowing up of the House of Dunglass, there appeared a very great pillar of fire to arise from the north-east of Dunbar, as appeared to them in Fife, who did behold it, and so ascended towards the south, until it approached the vertical point of our hemisphere, yielding light as the moon in her full, and by little evanishing until it became like a parallax, and so quite evanished about 11 of the clock in the night.

Thus perished the heartless deceiver; and "it was the general sentiment of the time," says Dr. Robert Chambers, in a note on the ballad, "and long a traditionary notion in his family, that he came to this dreadful end, on account of his treatment of the unhappy lady who indites the Lament; she having probably died before that time of a broken heart." *

* Authorities—*The Historie and Life of King James the Sext*, pp. 74-75; Tytler's *History of Scotland*: 1864, vol. iii., p. 319; Archbishop Spottiswoode's *History of the Church of Scotland* (Spottiswoode Society), vol. ii., p. 119; Hill Burton's *History of Scotland*, 2nd Ed., vol. v., pp. 12-15; Sir Walter Scott's Ballad of *Cadyow Castle*, and introduction; Maidment's *Scottish Ballads and Songs*, vol. ii., pp. 38-44, 324-333, and his *Collectanea Genealogica* (privately printed, 1883), pp. 84-85, 170; Pitcairn's *Criminal Trials in Scotland*, vol. i., Part Second (Bothwellhaugh), pp. 23, 31, 87-88, 266; (Richard Graham), 235, 241, 243, 245, 249, 358; *Register of the Great Seal of Scotland*: 1580-1593, No. 172; Scotstarvet's *Staggering State of the Scots Statesmen*: 1754, pp. 129-131; *Register of the Privy Council of Scotland*, vol. iv., p. 711, vol. vi., p. 211; Bishop Keith's *Catalogue of Scottish Bishops*: 1755, p. 135; Chambers's *Scottish Ballads*, pp. 118-119; Burgon's *Memoir of Patrick Fraser Tytler*, 2nd Ed., pp. 30-31; Sir James Balfour's *Annales of Scotland*, vol. ii., pp. 396-397.

II.

THE COUNTESS OF CASSILLIS.

The Gypsies cam' to our gude lord's yett,
 And O but they sang sweetly ;
 They sang sae sweet, and sae very complete,
 That doon cam' the fair lady.

—*Ballad of "Johnnie Faa."*

THE tradition of the elopement of the Countess of Cassillis with Johnnie Faa, the Gipsy, is well known ; but in presently dealing with it to ascertain its truth or its falsity, a summary of the incidents, collected from different sources, is necessary to begin with.

Lady Jean Hamilton, daughter of Thomas, first Earl of Haddington—the "Tam o' the Cowgate" of King James VI.—was born on 8th February, 1607. Possessed of great personal beauty, she, in her early youth, won the affections of a Sir John Faa or Faw of Dunbar. Near to that town was her father's estate of Tynningham, which, says Mr. Maidment, "with its fine woods and beautiful walks, was a tempting place for young folks to meet in." But in this case, as in so many others before and since, the course of true love did not run smooth. A rival to Faa appeared in the person of John, sixth Earl of Cassillis, whom Lady Jean's worldly-wise father preferred, although she herself continued constant to her first lover, who, hoping with her that time would remove the obstacle to their union, went abroad. After two years, news came that he had been assassinated in Madrid. The suit of Cassillis was now pressed, and the

lady having succumbed to her father's wishes, gave her hand in wedlock to the Earl. Her residence became Colzean Castle, amid the romantic beauties of the "banks and braes o' bonnie Doon," and there she bore two daughters, but no son.

When the troubles with Charles I. arose, Cassillis, an austere character, proved himself a stern and inflexible Covenanter; and the same side was taken by his brother-in-law, the second Lord Haddington, who was killed by the explosion at Dunglass, in August, 1640. The English Parliament, on 12th June, 1643, called an Assembly of Divines to meet "at Westminster, in the Chapel called King Henry's Chapel, on the first day of July, in the year of our Lord, 1643 . . . to consider and treat among themselves of such matters and things, touching and concerning the liturgy, discipline, and government of the Church of England," etc. To this convocation the General Assembly of the Scottish Church sent eight Commissioners, of whom five were ministers, and three elders, John, Earl of Cassillis; John, Lord Maitland; and Sir Archibald Johnston of Warriston; all of whom repaired to London.

At this juncture, Sir John Faa came back to Dunbar safe and sound, and as much attached to his lost love as ever. Taking advantage of his successful rival's absence, he suddenly appeared one day at the gate of Colzean Castle, attired as a gipsy, and with a band of fifteen gipsies, or followers disguised as such. Obtaining an interview with the Countess, he persuaded her to elope with him. She seems to have shewn no scruples, and off they set. But they had not gone far—

Among the bonnie winding banks
Where Doon rins, wimpling clear,

when a fatal fortune befel them. No sooner had they left the Castle behind them, than the Earl unexpectedly arrived there, and mustering his retainers, gave hot pursuit. The fugitives were overtaken as they were crossing a ford of the Doon, afterwards called the "Gipsies' Steps," and were all taken prisoners, and brought back to the Castle. The Earl hung Sir John and fourteen of his company on the boughs of the "Dule Tree," a large plane, and confined the erring lady in a chamber, still designated as "the Countess' Room," from a window of which she was compelled to witness the ghastly death-scene. The Earl subsequently divorced her *a mensa et thore*, and removed her to an old family tower at Maybole, wherein she spent the rest of her days in seclusion, employing her time in working tapestry, on which was portrayed her flight with the gipsies: whilst eight heads were sculptured under a turret to represent as many of the victims of the "Dule Tree."

Such is what we have put together as the traditionary account of this strange episode; for which episode, however, there is no authentic record, or even any authority except the Ballad said to have been composed by the solitary survivor of the gipsy band, and which appears to have been first printed in the fourth volume of Allan Ramsay's *Tea-Table Miscellany*, published about 1733. What is remarkable, this early, and probably original, version has no mention of Cassillis, which name only occurs in one or two subsequent versions. Motherwell's copy, inserted in his *Minstrelsy, Ancient and Modern*, calls the hero "Gypsy Davie," and the heroine "Jeanie Faw;" and we may note that

Jean was the Countess' Christian name. But Davie and his gang are characterised by Jeanie as

“ A wheen blackguards waiting on me : ”

and such they seem to have been ; for

They drank her cloak, so did they her gown,
They drank her stockings and her shoon,
And they drank the coat that was neist to her smock,
And they pawned her pearled apron.

The number of the band is here increased to sixteen, all of whom were doomed to death :—

They were sixteen clever men,
Suppose they were nae bonnie ;
They are to be a' hanged on ae day,
For the stealing o' Earl Cassillis' lady.

Sir John Faw of Dunbar, whom the Balladists had never heard of, is a recent invention. We might as well believe that a gang of common gipsies induced the Countess to accompany them by casting “the glamour ower her,” as that on Hallowe'en, the

Fairies light
On Cassillis Downans dance,
Or owre the lays, in splendid blaze,
On sprightly coursers prance ;
Or for Colean the route is ta'en,
Beneath the moon's pale beams ;
There up the cove to stray and rove,
Amang the rocks and streams
To sport that night.

Some stronger inducement than “the glamour” was needful, if the story was to bear any feasibility at all,

and therefore Sir John was created, as a former suitor; while the execution of a gipsy chief, named "Captain John Faa," and seven of his kin, at Edinburgh, in January, 1624, was adduced, as having connection with the Cassillis tradition. Let us see how the authentic dates stand. Lady Jean was born in February, 1607, and wedded the Earl in 1621, when she was only in her fourteenth or fifteenth year: so that there was scarcely time for a serious attachment to Faa before Cassillis came forward as her suitor. Faa, it is said, was more than two years abroad before the marriage, and when he came back and eloped with the Countess, she must have been the mother of the two daughters, as the partial divorce immediately followed. *Credo Judeus!* Moreover, Captain John Faa and his seven kinsmen, who suffered at Edinburgh, in 1624, were not sentenced for an abduction, or for any crime whatever, committed at Colzean Castle; but as being "vagabonds, sorners, common thieves, known, reputed, and holden as Egyptians." At the same time, "Helen Faa, relict of the deceased John Faa," and eleven other gipsy women, were condemned to be drowned; but their sentence was commuted to banishment. The Scottish law, at that period, was carried out with great severity against the gipsy tribe, with the object apparently of driving them by terror out of the country.

The plain fact is, the Countess died at Colzean, in December, 1642, being then in the thirty-sixth year of her age: and this was six months before the Westminster Assembly of Divines was called. The Earl wrote the following two letters to friends, one concerning and the other announcing her demise:—

I.

*To the Right Reverend Mr. Robert Douglas,
Minister at Edinburgh.*

RIGHT REVEREND,

I find it so hard to digest the want of a dear friend, such as my beloved yoke-fellow was, that I think it will much affect the heart of her sister, my Lady Carnegie, who hath been both a sister and a mother to her, after their mother's removal. I thought your hand, as having relation to both, fit for presenting such a potion, seeing you can prepare her beforehand, if as yet it have not come to her ears; and howsoever it be, your help in comforting may be very useful to her. My loss is great, but to the judgment of us who saw the comfortable close of her days, she has made a glorious and happy change, manifesting in her speeches both a full submission to the only absolute Sovereign, and a sweet sense of His presence in mercy, applying to herself many comfortable passages of God's word, and closing with those last words, when I asked what she was doing; her answer was, she was longing to go home. It seems the Lord has been preparing her these many weeks past, for she has been sickly four or five weeks, and the means which had helped others in her estate, and were thought in likelihood infallible, could not be used; I mean drawing of blood; for tho' the surgeon tried it, he could never hit on the vein. I am, your most affectionate friend,

CASSILLIS.

Cassillis, 14th Dec., 1642.

II.

To Alexander, sixth Earl of Eglinton.

MY NOBLE LORD,

It hath pleased the Almighty to call my dear bed-fellow from this valley of tears to her home (as herself in her last words called it). There remains now the last duty to be done to that part of her left with us, which I intend to perform upon the fifth of January next. This I entreat may be honoured with your lordship's presence here at Cassillis on that day, at ten in the morning, and from this to our burial place at Maybole, which shall be taken as a mark of your lordship's affection to your lordship's humble servant,

CASSILLIS.

Cassillis, the 15th December, 1642.

Lord Eglinton writes, in answer, that he could not attend the funeral, as the day fixed was appointed for a meeting of the "Committee of the Conservators of Peace," at which he must be present. He says:—

I am sorrowful from my heart for your lordship's great loss and heavy visitation, and regret much that I cannot have the liberty from my Lord Chancellor to come and do that last duty and respect I am tied to. . . . It is a very great grief to me to be absent from you. I will earnestly entreat your lordship to take all things Christianly. . . . I pray God to comfort you with His wisdom and resolution to be content with that which comes from His hand.

The terms of the noble widower's two letters wholly refute the sinister supposition that any jar occurred in the conjugal relations of him and his lady. The letters were written to notable persons who must have known whether the Countess had broken her marriage vow and lived a life of enforced seclusion in the old tower, on which eight heads of gipsies were sculptured for the express purpose of perpetuating the public disgrace of herself and her husband! Her only immurement was when her body was laid in the family burial-place at Maybole.

The *Tenth Report of the Royal Commission on Historical Manuscripts*, in which the second letter is printed, says that the story of the Countess and the gipsies "is proved to be false, and the aspersions cast on the lady's character shown to be wholly undeserved, by this letter now reported on, in which her husband speaks of her with affection after twenty-one years of married life, and which, moreover, is written before the Earl's departure for Westminster in 1643." The like opinion of the story was previously expressed by Professor Aytoun, in

his *Ballads of Scotland* :—" Tradition has so very often, after minute investigation, been proved to be a true expositor, that I always hesitate to discard it ; but, in this instance, I am deliberately of opinion that it ought not to be received. . . . I am therefore inclined to believe that the story has no real foundation : " and some recent collectors of the Scottish ballads coincide with him as to its falsity.

That eminent antiquary, Mr. Charles Kirkpatrick Sharpe, the Horace Walpole of Scotland, contributed an article on this *vexata quæstio* to the *Edinburgh Magazine* of November, 1817, illustrated by a portrait, at Colzean Castle, said to be of the Countess Cassillis, and which is acknowledged to be such. But another portrait in the Duke of Hamilton's apartments at Holyrood, also said to be of the Countess, Mr. Sharpe considered as " evidently a picture of Dorothea, Countess of Sunderland, copied from Vandyke," which lady was the " Sacc-harissa " of the poet Waller. Mr. Sharpe speaks of the tapestry in which Lady Cassillis is said to have " represented her unhappy flight, but with circumstances unsuitable to the details of the ballad, and as if the deceits of Glamour had still bewildered her memory ; for she is mounted behind her lover, gorgeously attired, on a superb white courser, and surrounded by a group of persons who bear no resemblance to a herd of tatterdemalion gypsies." In one of the " Additional Notes and Illustrations " appended to an issue of Stenhouse's *Illustrations of the Lyric Poetry and Music of Scotland*, in 1853, Mr. Sharpe returns to the tapestry : " I suspect," he says, " from what I have heard, that it is only a fragment of old tapestry, representing a man and a woman riding on a white horse, amid a group of

attendants, and re-baptized by housekeepers, who have heard the old tradition." But, as far as our knowledge goes, nobody has yet suggested that the tapestry probably represents the home-coming to Colzean Castle of Lord Cassillis with his bride, after their nuptials in 1621, which would account for the lady being "gorgeously attired."

One of the two daughters of Lady Cassillis was married to William, Lord Cochrane, son and heir of the Earl of Dundonald; and the other, in advanced years, became the wife of Bishop Burnet. It has been surmised that, to ridicule the Prelate by defaming the mother of his spouse, the *soi-disant* "tradition" was concocted and the old ballad written. The Earl of Cassillis wedded, as his second wife, Lady Margaret Hay, daughter of William, Earl of Errol, and widow of Lord Ker, who brought him a son and heir.

There are several versions of the old ballad; but the only modern one on the subject, which we have seen, is contained in *Lays and Lyrics*, by Charles Gray, Captain, Royal Marines, Edinburgh, 1841; and we now quote it by way of conclusion—

LADY CASSILIS' LAMENT.

Air—The Gipsy Laddie.

O! woe betide thee, Johnny Faa,
 Thy looks and words enticing;
 Freedom and fame I've lost, and a'
 Through thee, and thy advising.
 O let not woman after me
 Forsake the path of duty;
 O let not woman after me
 Exult in youth and beauty!

My een, that ance were bonnie blue,
 Love's softest glances flinging,
 Are dimm'd, alas ! by sorrow's dew,
 From misery's fountain springing :
 My hair, that ance was lang and sleek,
 Wi' grief is fast decaying ;
 And tears find channels down that cheek
 Where rosy smiles were playing.

Now Spring has flung o'er field and bower
 The garment of her gladness ;
 While here I sit in prison tower,
 In mair than Winter's sadness :
 The wild birds flit frae tree to tree—
 The grove's wi' music ringing ;
 O I was ance as blythe and free
 As ony bird that's singing.

But now less free than bird of song
 That gilded wires environ ;
 My cage a gloomy prison strong,
 Wi' bolts and bars of iron :—
 O let not woman after me
 Exult in youth and beauty ;
 O let not woman after me
 Forsake the path of duty !

Authorities—*The Edinburgh Magazine*, vol. i., p. 306 ; Chambers's *Picture of Scotland*, vol. i., p. 290 ; *New Statistical Account of Ayrshire*, p. 497 ; Stenhouse's *Illustrations* : 1853, pp. 217-219 ; Simson's *History of the Gipsies*, p. 239 ; *Tenth Report on Historical Manuscripts*, pp. 5 (Report), 5, 51 (Eglinton Papers) ; Chambers's *Scottish Ballads*, p. 127 ; Motherwell's *Minstrelsy*, p. 360 ; Aytoun's *Ballads of Scotland*, vol. i., p. 183 ; Maidment's *Scottish Ballads and Songs*, vol. ii., p. 179 ; Roberts' *Legendary Ballads of England and Scotland*, p. 511 ; *The Ballad Minstrelsy of Scotland* : 1893, p. 616 ; Captain Gray's *Lays and Lyrics*, pp. 106, 242.

III.

NICNIVEN, THE WITCH OF MONZIE.

— All agree, that if there ever lived
A veritable witch beneath the sun,
Who ought to die unpitied and unshrived,
Old Catharine M'Niven must be one.

—Rev. George Blair—" *The Holocaust.*"

IN some year, not long before the Rebellion of 1715, there is said to have been a famous witch done to death in Western Perthshire. In her case, as it is told, Tradition is our only guide, and the story runs thus: Sometime in the latter half of the seventeenth century, one of the servants in the family of the Groemes of Inchbreakie, in Upper Strathearn, was a female named Kate M'Niven, who was nurse to the Laird's young son, Patrick, afterwards called, from his complexion, "Black Pate." No kindness or affection, however, subsisted between Kate and her foster-child. Already she had become a member of the weird sisterhood, and by her black art was impressed with the presentiment that the boy was destined to bring her to a death of shame. Brooding over this gloomy prospect, she at length resolved to thwart destiny by destroying her charge, and once and again did she essay to cut him off by poison; but each attempt misgave. That her guilty practising was suspected, does not appear. Still, there seems to have arisen an evil feeling against her in her foster-son's breast, and it strengthened until ultimately it impelled him to hurry her to the stake.

When relieved of her duties in the house of Inchbreakie, Kate returned to her old home in the Kirkton of Monzie, a village romantically situated on the banks of the Shaggy and the Kelty, and environed with scenery in which the mountainous majesty of the Highlands blends with the softer beauties of the low country. Kate's cottage stood near the Shaggy, and there she dwelt by herself, acquiring an "uncanny" reputation, and frequently visiting Inchbreakie, where she was always kindly received by the Laird. It would seem, however, that the spirit of mischief, so congenial to a witch, actuated her to play tricks upon her unsuspecting benefactor. On one occasion, the Laird went to Dunning to some festivity, and, according to the fashion of the time, took his knife and fork in his pocket. After he was seated at the dinner table, he was subjected to an annoyance similar to that which teased Uncle Toby—namely, the hovering of a bee about his head. To relieve himself from the tiny tormentor, he laid down his knife and fork, and attempted to beat off the insect with his hands. It soon flew out of the window ; but behold ! the Laird's knife and fork had disappeared ! They were searched for, all over the table, and under the table : nowhere could they be found ; but when their owner reached home, and recounted his mysterious loss, the nurse, who was present, straightway went and produced both articles, safe and sound, from their accustomed repository. It was shrewdly whispered that Kate had personated the bee !

Inchbreakie himself probably laughed at such a suspicion ; but the secret and bitter hatred which his son cherished against the nurse was not to be appeased, and it found deadly vent at last. Evidence of her

sorceries was collected or suborned, and her youthful enemy was on the eve of publicly denouncing her as a witch, when Kate's soul was darkened by a revelation that her end was near. One day an aged thorn tree at Dunning, which she believed to be associated, in some mystic way, with her fate, was felled to the ground, and before the news of its downfall could possibly have reached her ears, she suddenly started up, ejaculating—"Alas! the thorn's felled, and I'm undone!" This prophetic exclamation was soon verified. Through the machinations of young Grøeme, she was apprehended and brought to trial on a charge of withcraft; and her guilt being conclusively established, doom of death was pronounced against her. It is said that Inchbreakie interested himself energetically in his old dependent's behalf; but his intercession was ineffectual. Everybody else was prejudiced against Kate; and even the Minister of Monzie, Mr. Archibald Bouie (who held the incumbency of that parish from 1710 till his death in 1740), proved her bitter enemy.

The stake was pitched and the faggots piled on the summit of the Knock of Crieff, and thither was the sorceress dragged to suffer, in presence of an immense multitude gathered from all the surrounding country. When she was chained to the post, she perceived Inchbreakie among the crowd, and knowing well how he had stood her friend, she called to him to approach. He did so at the word; and as he came, she bent down her head, and bit off with her teeth a large blue bead from the front of the necklace which she wore, and spitting it towards him, told him to keep it for her sake—because that if the talisman was treasured, the family of Inchbreakie should never lack a lineal heir or lose the

ancestral property, and also that at some time thence there would come out of the King's Crag what would do them good. Having thus taken farewell of the Laird, she vented various maledictions on those who had wrought her condemnation. Her wrath against Monzie and its minister was extreme: she declared that a minister of Monzie should never prosper, and that the parish should never want a mad woman or a sot. The place on the Knock where she died is still known as "Kate M'Niven's Crag."

Her last gift to Inchbreakie has been set in a gold ring, and is still preserved as a family heirloom. In a communication by Miss I. Grøeme to the Rev. Hugh M. Jamieson, minister of Monzie, dated 25th November, 1895, and inserted by him in his sketch of the parish in *Chronicles of Strathearn*, the relic is thus described:—

My grandfather had the ring carefully kept in a casket, and his own daughter was not allowed to touch it—only the daughter-in-law. On my mother presenting my grandfather with his first grandson, he bade her slip it on her finger, as the mother of an heir. . . . The ring is still retained among the family papers—such, at least, as were left after the burning of the castle by Cromwell. It is a moonstone sapphire, set in two brilliants of different shape. There is a curious bluish enamel on part of the gold, which is embossed half way round. There is also a charm, which is said to have belonged to Kate M'Niven. It is a slight iron chain with a black heart, having two cross-bones in gold on the back, bearing the words "Cruelle Death" on it, and attached to it a death's-head in the shape of a serpent's head with curious enamel.

Miss Grøeme states, in addition, that her grandfather told her mother the story of the witch only "on one occasion," which says very little for the veracity of it.

The prophecy about the King's Crag is said to have been thus fulfilled:—At some subsequent period, "the

lands of Inchbreakie had been pledged in wadset—the day was close at hand, when either the money was to be paid or the lands to be lost—the Laird was in extremities—a friend advised him to apply to the Bank of Strathearn (meaning the Balgowan family, which was called so at that time)—he did apply and obtained the money—the servant who received it to carry home, thrust it into a cloak-bag, and placed it on his horse in one of the Balgowan stables—the low stable-door would hardly permit the horse and bag to get out ; but the servant pushed the latter through, exclaiming when he had done so, that the witch's prophecy was now fulfilled, for the stable was built out of the King's Crag."

We have now related the traditionary account ; but, in the absence of the slightest scrap of record of any kind in its support, there is good ground for the presumption that it is erroneous as to the era of the witch and the place of her incremation.

Turning to *The Historie and Life of King James the .Sext*, we find that in May, 1569, the Regent Moray made a progress to Stirling, where he held a Court, at which "four priests of Dunblane were condemned to the death for saying of mass," but afterwards they were granted their lives. From Stirling, the Regent "passed to St. Andrews, where a notable sorceress called *Nichiven* was condemned to the death and brunt."

This culprit was an old woman, with the weight of a hundred years upon her head, and seems to have practised chiefly as a "white witch," dispensing cures for the sick. She was examined before the Regent, John Knox, and other ministers, when she pled that the accusation against her proceeded from the envy of the apothecaries whom she excelled in the knowledge of

medicaments. Particulars of her case are given in a letter, dated, at St. Andrews, 10th May, 1569, from Sir John Mure of Caldwell to the Earl of Eglinton, preserved among the Eglinton papers. "As to novels," writes Caldwell, "I have no other but as I have written, except *Niknevin* tholes an assize this Tuesday; it is thought she shall suffer the death; some others believe not. If she dies, it is feared she do cummer and cause many others to incur danger; but as yet for no examination my Lord Regent nor the ministers can make she will confess no witchcraft nor guilt, nor others, but says to my Lord Regent and the examiners that it is nought that has caused her to be taken but the Pottingars (Apothecaries); and that for envy, by reason she was the help of them that was under infirmity; and speaks the most crafty speaking as is possible to ane woman to be so far past in years who is ane hundred years."

John Brughe, of Fossaway parish, was brought before the Justiciary Court, on 24th November, 1643, charged with sorcery and warlockry. He was said to have been the devil's servant for the long space of six and thirty years, and had cured many people and cattle of diseases. "He was also in the use of taking up dead bodies, and employing the flesh for enchantments." He had obtained his curative knowledge "from a widow, named Neane Nikelerith [Neane, or Neyn, being, in Gaelic, the female form of *Mac*], of threescore years of age, who was sister-dochter to *Nike Neveing*, that notorious infamous witch in *Monyie*, who for her sorcery and witchcraft, was burnt fourscore of year since, or thereby." Here, for the first time, Nicniven is said to be of "*Monyie*"; but is this the Monzie of Strathearn, or the Moonzie of Fife, within the Regality of St. Andrews?

It may be noticed that *Nicniven* or *M'Niven* was the name popularly given to the mysterious *Gyre Carline*, the Fairy Queen, or the Mother Witch of Scottish superstition. In Nithsdale and Galloway, mothers used frequently to "frighten their children by threatening to give them to *M'Niven* or the *Gyre Carline*. She is described as wearing a long gray mantle, and carrying a wand, which, like the miraculous rod of Moses, could convert water into rocks, and seas into solid land." Some of our old poets allude to her. A burlesque fragment in the Bannatyne MS. says that she "lived upon Christian men's flesh," and was "married with Mahomet," and was the "Queen of Jowis," or Jews. In the *Flying of Montgomery and Polwart*, we also read of

Nicniven, with her nymphs in number anew,
With charms from Caithness and Chanrie of Ross,
Whose cunning consists in casting a clew.

But, altogether, as Sir Walter Scott says, "the traditionary accounts regarding her are too obscure to admit of explanation," and further, that "her name was bestowed, in one or two instances, upon sorceresses, who were held to resemble her by their superior skill."

In the year 1683, a young girl, ten years of age, the daughter of a husbandman, named Donald Macgregor, in Monzie, had been subjected to the evil powers of witchcraft, but afterwards saw visions of angels and heard their voices, and gave oracular responses to questions, like a Delphic priestess on the tripod, until she recovered from all such illusions. Mr. Charles K. Sharpe, in his elaborate introduction to Law's *Memorialls*, is of opinion that "long before this affair there must have been a very celebrated witch in that neighbourhood," and refers to what Montgomery, in his *Flying*, says of Polwarth's

birth and infancy—how the Weird Sisters found him, “waur faced nor a cat,” lying in a bush, and carried him off :

Syne backward on horseback bravely they bendit,
That cam-nosed (flat-nosed) cockatrice they quite with them carry,
To *Kait of Crieff* in a creel soon they gar send it,
Where seven year it sat baith singed and sairie (puny, silly,
shrivelled).

The kin of it by the cry incontinent kenn'd it,
Syne fetch food for to feed it from the Faerie.

But, with all submission, we must say that “Kait of Crieff” means neither witch nor warlock, but evidently the Stayt or Skait, where the Stewartry Courts were held.

The lands of Inchbreakie, after being held successively by three Lairds of the Mercer family, were sold, on 4th December, 1501, to William, Lord Grahame, who, on 20th January following, obtained a Royal Charter of Confirmation thereto.

Finally, young Inchbreakie could not have been instrumental in bringing his old nurse to the stake at the period specified in the tradition, because he was a fugitive from Scotland, from 1695 to 1720, on account of his murder of the Master of Rollo.*

* Authorities—*New Statistical Account of Perthshire*, p. 269 ; *The Holocaust* ; or, *The Witch of Monzie* : A Poem. By the Rev. George Blair ; *Beauties of Upper Strathearn* : Third Edition, p. 141 ; *Chronicles of Strathearn*, pp. 335-337 ; *Historie and Life of King James the Sext*, pp. 65-66 ; *Tenth Report on Historical Manuscripts* : Eglinton Papers, pp. 5, 42 ; *Dalyell's Darker Superstitions of Scotland*, pp. 185, 233 ; *The Spottiswoode Miscellany*, vol. ii., p. 66 ; Charles K. Sharpe's *Historical Account of Witchcraft in Scotland* (Reprint of Introduction to *Law's Memorials* : 1884), pp. 51, 112, 158-159.

The Monzie Kirk Session Records begin in 1691, and are brought down to the present time, with the exception of a blank of five years between 1706 and 1711; but the portions remaining contain no reference at all to Kate M'Niven.

The author of the sketch of Monzie in *Chronicles of Strathearn*, speaks of "the traditionary story as related by Dr. Marshall," in *Historic Scenes in Perthshire*, pp. 301-302, a very interesting work; but his relation is avowedly quoted in full from that which the present writer contributed to "a local newspaper" in 1878.

IV.

THE TREASURE-SEEKERS.

A half-sunk boulder on the Mount is called
 "The Siller Stone." In popular legend, lies
 A hoard of gold beneath it. Daring men
 Have tried to dig it out; but aye a storm
 Of lightning red, and thunder black with wrath,
 Bursts, scares, and drives them from the unfinished work.

—*Thomas Aird's "Frank Sylvan."*

DURING the troublous times of yore, the practice of concealing money and valuables in the earth was common in this country as elsewhere. Both the miser and the robber were peculiarly addicted to this mode of secreting the darling hoard and the blood-won spoil. This was what Achan did with what he appropriated as plunder from Jericho. "When I saw among the spoils a goodly Babylonish garment, and 200 shekels of silver, and a wedge of gold of 50 shekels weight, then I coveted them, and took them; and behold, they are hid in the earth in the midst of my tent, and the silver under it."

Numerous possessors of such deposits, driven into exile, or cut off suddenly, gave no sign whereby their wealth could be traced, so that to chance alone was left the discovery. It must also be taken into account that ancient graves and tumuli—Roman, Celtic, and Saxon—generally contained coins and ornaments of gold, the casual finding of which helped to magnify the popular notions about the vast amount of hidden treasure. Mediæval romance, founding on classic fable and Oriental story, told of dragons and griffins, fairies, dwarfs, ghosts, and demons, keeping watch and ward over caverned gold and jewels. Nor did fraudulent imposture fail to operate on the cupidity of rich men who would fain become richer. Necromantic professors undertook to work wonders in recovering buried wealth by incantations; but primarily they demanded handsome fees before they would lift a finger. Much imposition was practised in this manner, by adepts high and low. The German *Libor Vagatorum*, the Book of Vagabonds and Beggars, which was edited by Martin Luther in 1528, describes the class of cheats “who pretend they can dig or search for hidden treasures, and when they find some one who allows himself to be persuaded, they say they must have gold and silver, and must have many masses celebrated to the same end, *et cetera*, with many more words added. Thereby they deceive the nobility, the clergy, and also the laity, for it has not yet been heard that such villians have found these valuables. But they have cheated people enough. They are called *Sefil-diggers*.” Sometimes the adepts themselves buried sums to decoy the fools who trusted in them; and a curious proof of the prevalence of this trick among the Dousterswivel fraternity appears from

such an incident being adopted into the *Life of Virgilius*—or Virgil the poet transformed by ignorant legend-mongers into an enchanter—the first English version of which was printed in 1508. The story goes that Virgilius placed in the “capitolium” of Rome certain carved images which he called *Salvatio Romæ*, because he had invested them with the magic virtue of indicating by their motions the city or country in which a revolt happened to break out against the Roman authority. This wonder having come to the knowledge of the Carthaginians, these inveterate enemies of Rome resolved on the destruction of the “idols,” and to effect this purpose they had recourse to a money-digging stratagem, which must have been common in the age when the romance was written.

Then thought they in their mind to send three men out, and gave them great multitude of gold and silver ; and these three men took their leave of the lords, and went towards the city of Rome, and when they were come to Rome, they reported themselves soothsayers and true dreamers. Upon a time went these three men to a hill that was within the city, and there they buried a great pot of money very deep in the earth, and when that was done and covered again, they went to the bridge of Tiber, and let fall in a certain place a great barrel with golden pence. And when this was done, those three men went to the senators of Rome and said, “Worshipful lords, we have this night dreamed that within the foot of a hill here within Rome is a great pot with money ; will ye, lords, grant it to us, and we shall do the cost to seek thereafter.” And the lords consented ; and they took labourers, and delved the money out of the earth. And when it was done they went another time to the lords, and said, “Worshipful lords, we have also dreamed that in a certain place of Tiber lieth a barrel full of golden pence. If you will grant to us that, we shall go seek it.” And the lords of Rome, thinking no deceit, granted to those soothsayers, and bade them to do what they should to do their best. And then the sooth-sayers were glad, and hired ships and men,

and went towards the place where it was, and when they were come there they sought in every place there about, and at the last found the barrel full of golden pence, whereof they were right glad. And then they gave to the lords costly gifts. And then, to come to their purpose, they came to the lords again, and said to them, "Worshipful lords, we have dreamed again that under the foundation of the capitolium, there where *salvatio Romæ* standeth, be twelve barrels full of gold; and pleaseth you, lords, that you would grant us license, it shall be to your great advantage." And the lords, stirred with covetousness, granted them, because two times afore they told true; whereof they were glad, and got labourers, and began to dig under the foundation of *salvatio Romæ*; and when they thought they had digged enough, they departed from Rome, and the next day following fell that house down, and all the work that Virgilius had made. And so the lords knew they were deceived, and were sorrowful, and after that they had no fortune as they had aforetimes.*

The chronic disorders and the wars in Scotland, from age to age, doubtless caused a good deal of wealth to be committed for safe keeping to the earth, where much of it was lost to the depositors. The first (published) volume of the Lord High Treasurer's Accounts contains several entries relating to the discovery of such hoards. Thus, in April, 1490, some treasure being found in the north, 30s. were paid "to Downy Malwny, to pass owre the Mwnthe for the man that fand the hurde." On 11th March, 1491, a payment of 5s. was made "to Sperdour, to pass to Montrose for ane Bercla that fand a hwrđ." In 1492, the sum of £13 6s. 8d. was received from Michael Mercer, for his son, John Mercer, finder of the hoard. In 1494, the sum of £106 13s. 4d. was received from John Currour of the hoard silver which had been found in Banff; and on the 6th June, 1496, a

* Wright's *Narratives of Sorcery and Magic*, vol. i., p. 109.

reward of 24s. was given "to the fellow that faund the hoard to buy him a cow." In consequence of the actual discoveries occasionally made, legends of hidden treasure sprung up in almost every district, and found commemoration generally in popular rhymes : * but the more remarkable of such stories became localised, with slight variations, on both sides of the Border, and in Ireland likewise. Take one instance :—A peasant in Ayrshire dreamed thrice one night that a voice informed him that if he went and stood on London bridge, he would obtain great riches. The honest man awoke in the morning, and being natutally of a cautious, secretive disposition, he told his wife nothing about the vision, but embraced the earliest opportunity to slip away quietly on his journey to London. Having duly reached the city, he proceeded to the famous Bridge, and took his stand upon it, wondering where the promised fortune was to come from. Soon a stranger accosted him, and, after a little conversation, the dreamer mentioned the cause of his journey from Scotland. The other laughed, and said that dreams were unworthy of regard, for though he had thrice dreamed that a vast treasure concealed in Ayrshire, at a spot which he particulatly described, awaited his research, he was not such a fool as to give heed to such illusions. The canny Scot listened intently, and his heart thumped against his ribs when he heard the description of his own kailyard at home. Warily keeping this secret to himself, he bade good day to the unknown, and hastened back to Scotland. Joyfully was his return hailed by his better-half ; but vouch-

* Chambers's *Popular Rhymes of Scotland*.

safing her no explanation of his absence, he straight-way began digging in his yard, and soon his spade struck upon a pot, which, on being unearthed, was found filled with gold coins to the brim! Henceforth he rolled in affluence, and was able to build Dundonald Castle. The story is told with a difference in the town of Swaffham, Norfolk. A tinker sojourning there dreamed the dream, and, trudging to London, waited on the bridge for three days, until late in the evening of the third day, when he was about to abandon hope, a stranger came up to him, and, in the course of talk, mentioned that he had dreamed three nights that week that, if he went to a place called Swaffham, in Norfolk, and dug under an apple tree in a certain garden on the north side of the town, he should find a box of money; but he had something else to do than to run after such idle fancies. The tinker hurried home, dug under the apple tree, and found an iron chestfull of gold and silver. "After securing this treasure, he discovered upon the outside of the chest an inscription, which, being no scholar, he was unable to decypher. He, therefore, hit upon the following expedient:— There was in the town a grammar school, several of the pupils from which were constantly in the habit of passing his smithy, in their way to and from school. The tinker judged that by placing the chest at the door it would excite the attention of the boys, and thus he should be able to attain the object in view without exciting any suspicion among his neighbours. He soon had the opportunity he sought; a number of the boys having gathered around, as was their custom, to witness the operation of the forge, he took occasion to challenge their scholastic skill in the translation of the

inscription. Some shook their heads ; others, after conning it over awhile, said it was not sufficiently legible. At length one older than the rest, anxious to display his superior learning, after scraping and brushing off the rust, gave the following solution to it :—

Where this stood
Is another twice as good.

Overjoyed at this information, the tinker, next morning, resumed his labour ; and a little below the ground already cleared, he found a second chest double the size of the first, and like it filled with gold and silver coin. The account goes on to state that becoming thus suddenly a wealthy man, the tinker showed his gratitude to Providence by building a new chancel to the church, the old one being out of repair.” Another version of the legend is known on the Scottish Border. A shepherd dreamed thrice in one night that a pot of money was hidden in his kailyard. As soon as he arose, he dug and found a pot, which, to his inexpressible chagrin, was empty ! As the vessel was sound, and otherwise eligible for domestic use, it was consigned to the kitchen and for some years boiled the owner’s kail. One day a pedlar came to the cottage, and sitting down by the hearth, as the good-wife bade him, to wait till the dinner was ready, when he should have a portion, he kept his eyes longingly fastened on the pot over the fire, and at length perceived a Latin inscription on the rim. This, to the surprise of his hostess, who had never observed it before, he translated as follows :—

Beneath this pot you will find another.

The worthy woman said nothing, but gave the learned packman his dinner, and sent him away contented.

When her husband came home and heard the story, he ran to the yard, and digging deeper than before, found a second pot, of the same size as the first, but full of gold.

These, however, are merely "old wives' fables." But a singular Contract in regard to treasure trove in Scotland was formally concluded in 1594. The notorious Robert Logan of Restalrig, a supposed accessory to the Gowrie Conspiracy, and a man of desperate life, fell into such extremities for ready money that he was driven to send out his retainers to rob travellers on the roads near Fast Castle. His straits probably sharpened his recollection of some family legend touching a hidden pose in the grim old fortress overlooking the Lammermuirs and the German Ocean, and, like a drowning man clutching at a straw, he clutched at the possibility of there being some truth in the tradition. Fired by the thought of sudden riches, he applied to the philosopher, John Napier of Merchiston, the inventor of Logarithms, and the foremost man of science of his day in Britain, but reputed by the common people as a warlock. Napier listened to the proposition, and, upon fair terms being offered him for his labours, he drew up a regular Contract for the adventure, which he and Restalrig subscribed. We copy the document (with modernised orthography):—

CONTRACT, MERCHISTON AND RESTALRIK.

At Edinbruch, the day of July, year of God Im^o vc four-score fourteen years [1594]—It is appointed, contracted, and agreed, betwix the persons underwritten; that is to say, Robert Logan of Restalrig on the ane part, and John Napier, fear of Merchiston, on the other part, in manner, form, and effect as follows: To wit, forsameikle as there is divers auld reports, motives, and appearances,

that there should be within the said Robert's dwelling-place of Fast Castle, a sum of money and pose, hid and hoarded up secretly, whilk as yet is unfound by any man : The said John shall do his utter and exact diligence to search and seek out, and by all craft and ingyne that he dow, to tempt, try, and find out the same, and by the grace of God, either shall find the same, or then make it sure that no such thing has been there, so far as his utter travail, diligence, and ingyne may reach. For the whilk the said Robert shall give, as by the tenor hereof gives and grants unto the said John the just third part of whatsoever pose or hid treasure the said John shall find, or be found by his moyen and ingyne, within or about the said place of Fast Castle, and that to be parted be just weight and balance betwixt them but [without] any fraud, strife, debate, and contention, on such manner as the said Robert shall have the just twa parts, and the said John the just third part thereof upon their faith, truth, and conscience. And for the said John's sure return and safe back-coming therewith to Edinbruch, unbeing [without being] spulzied of his said third part, or otherwise harmed in body or gear, the said Robert shall make the said John safe convoy, and accompany him safely in manner foresaid back to Edinbruch, where the said John, being safely returned, shall, in presence of the said Robert, cancel and destroy this present contract, as a full discharge of either of their parts honestly satisfied and performed to others ; and ordains that no other discharge hereof but the destroying of this present contract shall be of any avail, force, or effect. And in case the said John shall find no pose to be there, and after all trial and utter diligence taken ; he refers the satisfaction of his travail and pains to the discretion of the said Robert. In witness of thir presents, and of all honesty, fidelity, faith, and upright doing to be observed and kept by both the said parties to other, they have subscribed thir presents with their hands at Edinbruch, day and year foresaid.

Robert Logane of Restalrige.

Jhone Neper, Fear of Merchistoun.

The clause framed to secure the philosopher's safe return to Edinburgh with his share of the treasure, clearly indicates his estimate of Logan's character. It is not known whether Napier ever went to Fast Castle

in pursuance of the bargain : but this much is plain, that soon after the date thereof, Napier is found evincing the most violent ill-will and resentment against Restalrig, which would infer that the latter had grossly deceived him.*

Another man of science,—William Lilly, the astrologer,—but of far inferior grade to the sage of Merchiston, undertook a like enterprise in the cloister of Westminster Abbey, in the year 1634. The attempt was made at night, and the mosaical or divining rod was brought into service ; but after great pains taken, failure resulted. A tempestuous wind arising, blew out the lights, and terrified the party. “The true miscarriage of the business,” says Lilly, “was by reason of so many people being present at the operation ; for there was about thirty, some laughing, others deriding ; so that if we had not dismissed the demons, I believe most part of the Abbey Church had been blown down ; secrecy and intelligent operators, with a strong confidence and knowledge of what they are doing, are best for this work.”

An old rhyme common in western Perthshire runs thus—

From the Roman Camp at Ardoch
To the Grainin Hill of Keir,
Are nine Kings' rents
For nine hundred years.

Or, as it has been varied by reciters—

Between the Camp at Ardoch
And the Grainin Hill of Keir,
Lie seven Kings' ransoms
For seven hundred year.

* Napier's *Memoirs of John Napier of Merchiston*, p. 220 ; which gives a *fac simile* of the contract.

About half-a-mile distant from Ardoch, there is another Camp on the Grainin (or Sunny) Hill of Keir, and it has been said that a subterranean passage ran between the two entrenchments. Although the rents or ransoms have never yet been found, still, it is a curious fact, that about the year 1672, a considerable quantity of Roman coinage was unearthed at a place four or five miles south of Ardoch. This is stated in a letter from James, Lord Drummond, afterwards fourth Earl of Perth, to Mr. Patrick Drummond, dated at Stobhall, 15th January, 1672, and printed among the Blairdrummond Papers, in the *Tenth Report of the Royal Commissioners on Historical Manuscripts*. We subjoin a modernized copy of this interesting epistle :—

My dearest friend,—Your Almanacs arrived last week, with the book directed to me. My father was mightily pleased with his part. I assure you mine was no less satisfactory to me. I have not yet read it quite through ; for I was engaged in Doctor Browne's *Vulgar Errors*. On Saturday I read his discourse of *Urn Burial*, with which I was so taken, that in a very short time I read it. No doubt he is an extraordinary person, both for learning and piety. His *Religio Medici* I never saw, nor is it in Scotland to be had. My reading the first lines of the discourse I mentioned puts me in mind to shew you that lately near Drummond (that's to say, within five miles) amongst the hills which lie at its back, towards the Forest which belongs to my father, two countrymen intending to build a new kiln for corn in the seat of an old overgrown one, and searching deep to lay its foundation, found a great ring of gold and a considerable deal of money, which they disposed to pedlars, for its weight in the common coin of this country : they carried it to goldsmiths in Perth ; and, for a very inconsiderable gain, sold them. Only one accidentally came to Drummond, where my father was about his affairs in that place, who bought about 24 of the pieces. They are about the breadth of a very large 3-pence, and thrice as thick, or more. I have not yet taken particular notice to them, but these I saw had upon them Domitian, Com-

modus, Antoninus Pius, Trajan and Diva Faustina. Their reverse was different as well as their obverse. I believe there may be more heads amongst them. The figures are excellently well stamp'd, and by their dress appear to have been as old as those they represent. If you intend to speak of them to any, send me word, and I will ask some of them from my father; for most of them he has twice or thrice. The thing that I am most concerned at is, the goldsmiths put them in work (like fools), for they might have had much gain of them; but the silver was so good it would not mix with theirs until a third part of alloy was joined to them. They say there was more than a bushel of them; but all the enquiry I could make could not get me any of them. The Leaguer of the Romans for one whole winter lay at Ardoch, some four miles or more towards the south from that place, and there is to be seen their entrenchments and fortifications in circular lines deeper in some places than that a man on horseback can be seen: and north-east from that there are more trenches, alike in form and largeness: but the ground being much better has made the people, against my grandfather's order, till them down in some places. There was near there a round open, like the mouth of a narrow well, of a great depth, into which my grandfather ordered a malefactor to go, who (glad of the opportunity to escape hanging) went and brought up a spur and buckle of brass; which were lost the time that a garrison of Oliver's dispossessed us of Drummond. There was found a stone there upon which was cut an inscription to show that a captain of the Spanish Legion died there. If you please, I shall copy it for you. It is rudely cut, etc.

The story of the "round open" and the malefactor is told, with a difference, in the old Statistical Account of Muthill Parish, written by the Rev. John Scott. According to his authority, there was a hole near the side of the *Prætorium*, "at Ardoch, that went in a sloping direction for many fathoms; in which, it was generally believed, treasures, as well as Roman antiquities, might be found. In order to ascertain this fact, a man, who had been condemned by the baron court of a neighbouring lord, upon obtaining a pardon, agreed to

be let down by a rope into this hole. He at first brought up with him, from a great depth, Roman spears, helmets, fragments of bridles, and several other articles ; but, upon being let down a second time, was killed by foul air. No attempts have been made since that time. The articles above-mentioned lay at the House of Ardoch for many years, but were all carried off by some of the soldiers in the Duke of Argyll's army, in 1715, after the Battle of Sheriffmuir, and could never afterwards be recovered. The mouth of the hole was covered up with a millstone, by an old gentleman who lived at the House of Ardoch, while the family were in Russia, about the year 1720, to prevent hares from running into it when pursued by his dogs ; and as earth, to a considerable depth, was laid over the millstone, the place cannot now be found, although diligent search has been made for it." The Kings' rents or ransoms, therefore, still remain intact, waiting to reward the diligent research of some fortunate discoverer.

Pliny, the Naturalist, in speaking of soils and tillage, says that "often, in a calm evening before sunset, the earth, in the place over which the ends of the rainbow have passed, and when it is wet with a shower after a continued drought, then sends forth that divine savour of its own, conceived by the sun, to which no sweetness can compare." But another and more peculiar and valuable quality was afterwards attributed to the "triumphal arch," namely that where its ends seemed to touch the earth, they indicated the existence of buried treasures immediately beneath ! Thus, Nature herself was forced into the money-digger's service ! The rainbow theory was common in this country, and has been illustrated in Dr. Wilkie's *Fables* :—

One ev'ning as a simple swain
 His flock attended on the plain,
 The shining Bow he chanc'd to spy
 Which warns us when a show'r is nigh ;
 With brightest rays it seem'd to glow,
 Its distance eighty yards or so.
 This bumpkin had, it seems, been told
 The story of the cup of gold,
 Which Fame reports is to be found
 Just where the Rainbow meets the ground ;
 He therefore felt a sudden itch
 To seize the goblet and be rich.

He marked the very spot of land
 On which the Rainbow seem'd to stand,
 And stepping forwards at his leisure
 Expected to have found the treasure.
 But as he mov'd, the colour'd ray
 Still chang'd its place and slipt away,
 As seeming his approach to shun ;
 From walking he began to run,
 But all in vain, it still withdrew
 As nimbly as he could pursue ;
 At last, thro' many a bog and lake,
 Rough craggy road and thorny brake,
 It led the easy fool, till night
 Approach'd, then vanish'd in his sight,
 And left him to compute his gains,
 With nought but labour for his pains.*

* *Fables*, by William Wilkie, D.D., Professor of Natural Philosophy in the University of St. Andrews. London: 1768, p. 41. Dr. Wilkie was called the "Scottish Homer," as the author of *The Epigoniad*, an epic poem, which appeared in Edinburgh in 1757 and saw a second edition in 1759, but is now forgotten.

A modern traveller in Cilicia saw a simple mode of essaying the discovery of buried treasure. An Armenian adept inscribed magical words upon scraps of paper, which he straightway scattered in the air, and then dug in the places where they chanced to fall,—but it is not said that he ever found any money.

It was believed that particular places where treasures lay concealed, were occasionally disclosed to persons in visions of the night : and Reginald Scott, in his *Discovery of Witchcraft*, describes the “ art and order to be used in digging for money ” in such cases. He says—“ There must be made upon a hazel wand three crosses, and certain words must be said over it, and hereunto must be added certain characters and barbarous names. And whilst the treasure is a digging, there must be read the psalms *De profundis*, etc., and then a certain prayer; and if the time of digging be neglected, the devil will carry all the treasure away.”

The Rev. Robert Kirk, minister of the parish of Aberfoyle, Perthshire (who died, or was said to have been carried off to Fairyland, in 1692), wrote a treatise entitled *The Secret Commonwealth*, which is thought to have been printed in 1691. In this curious brochure, he tells a story of hidden money revealed in dreams. “ About the year 1676,” he says, “ when there was some scarcity of grain, a marvellous illapse and vision strongly struck the imagination of two women in one night, living at a good distance from one another, about a treasure hid in a hill called *Sithbruaich*, or Fairy Hill. The appearance of a treasure was first represented to the fancy, and then an audible voice named the place where it was to their waking senses. Whereupon both arose, and, meeting accidentally at the place, discovered their

design ; and joyously digging, found a vessel as large as a Scottish peck, full of small pieces of good money, of ancient coin ; which halving betwixt them, they sold in dishfuls for dishfuls of meal to the country people. Very many of undoubted credit saw, and had of the coin to this day. But whether it was a good or bad angel, one of the subterranean people, or the restless soul of him who hid it, that discovered it, and to what end it was done, I leave to the examination of others.” *

Another dream instance is related in the *Treatise on the Second Sight*, by Theophilus Insulanus, published at Edinburgh in 1763, and afterwards included in the third volume of the *Miscellanea Scotica* :—“ Kenneth Morison, of good repute with his contemporaries, then living at Glendale, had a revelation in a dream, as follows : A person informed him in sleep, that if he should repair to the kirk of Kilchoan, and look out at the east window, he might see at the distance of two pair of butts, in a direct line eastward, a stone larger than any near it in that direction ; upon removing of which, he would find silver, which had been hid under it ; and accordingly he lost no time, but went the next day to take his observation as he was directed ; and having found out the stone, was not disappointed, as it overlay a heap of silver under it of different size, coinage, and value ; a part of which was not then of the common currency.”

As regards the “hazel wand,” properly the *Divining Rod*, which it was believed would dip its point in the operator’s hands as he passed over underground water

* A reprint of this work, ably edited by Mr. Andrew Lang, was published in London in 1893.

or metal, and was therefore much used to discover buried treasure, we need say no more about it than simply to notice *en passant* how, in a well-known instance, its alleged power in detecting metals utterly failed. In France, towards the end of the seventeenth century, Jacques Ayinar was an adept of great repute for his wonders with the rod. He was ultimately summoned to Paris, where his skill was tested by experiment under the direction of the Prince of Conde. "Five holes were dug in the garden. In one was secreted gold, in another silver, in a third silver and gold, in the fourth copper, and in the fifth stones. The rod made no signs in presence of the buried metals, and at last actually began to move over the buried pebbles." *

As it was a settled point that frequently supernatural beings watched over treasures, the presumption naturally followed that places reputed to be haunted were places where secreted riches would probably be found. "The popular belief," says Southey, in the *Doctor*, "that places are haunted where money has been concealed (as if, where the treasure was and the heart had been, there would the miserable soul be also), or where some great and undiscovered crime has been committed, shows how consistent this is with our natural sense of likelihood and fitness." Some curious directions on this subject have been left by the renowned Paracelsus:—

In the first place, we must show by what tokens a person may be able to ascertain whether a treasure is concealed in a certain spot: and in order to put this point beyond doubt, he must pay particular attention as to whether a great number of ghosts allow

* Baring-Gould's *Curious Myths of the Middle Ages*, 1881: pp. 60-78.

themselves to be seen and heard there at night-time, kicking up a great disturbance, so that the people, who pass in that direction, are in a terrible fright, breaking out into a cold perspiration, and their hair standing on end. The ghosts are more troublesome on Saturday nights, and, if people carry a light with them, it is blown out as if they were passing through a current of air. It often occurs, too, that, when treasure lies concealed in a house, abundance of ghosts are to be seen and heard making a most tremendous uproar. Now, when these things occur, you may rest assured that there is a heap of concealed treasure there, without requiring any other token. Treasures are, however, of two sorts: one which belongs to a human mint, and which may be found and possessed, and the other not. Consequently every treasure-digger must pay attention to the signs above-mentioned, as the Divining Rod is deceptive, being easily influenced by a penny, which may have been lost, and the other means which necromantic treasure-seekers make use of, such as mirrors and goblets, are equally so; therefore let no man depend upon them."

Where demons were suspected as being on guard, incantations were performed to put them to flight, or to render them subservient. A graphic illustration of this practice occurs in the story of the Necromancer with whom Benvenuto Cellini, the Florentine artist, went twice, at night, to the Colosseum of Rome to raise demons and compel them by the power of sorcery to divulge where treasures were hidden. On the first occasion, "there appeared several legions of devils, in-somuch that the amphitheatre was quite filled with them;" but nothing more transpired. Next night, after the ceremonies had commenced, and the air was thick with the smoke of burning perfumes and other drugs, Cellini's boy declared that he saw terrible shapes hovering around the magic circle within which the party had placed themselves—"that there were in that place a million of fierce men, who threatened to destroy us; and

that moreover four armed giants of an enormous stature were endeavouring to break into our circle." Nobody else, except the Necromancer, seems to have seen the phantoms ; and Benvenuto, though much terrified, tried to reassure the boy by telling him that "all those demons were under us, and that what he saw was nothing but smoke and shadow ;" for, in fact, it has been supposed that the apparitions were produced by the secret use of a magic-lantern acting on the dense smoke. No tangible result came of this adventure, and Cellini had more good sense than to resume it. But not only in the discovery of treasures were incantations practised : they were equally necessary when a precious deposit was laid in the ground. The Buccaneers of America are said to have been in the habit of concealing their ill-gotten gains on the wild and desolate keys of the coast : and this was done with frightful rites of Indian diablerie, which were followed by the murder of the negro slaves who assisted at the burying of the wealth, and who were then interred in the same spots, that so their restless ghosts, haunting the scenes of their slaughter, might frighten away all strangers. Bertram, in *Rokeby*, speaks to this effect :—

An ancient mariner I knew,
What time I sail'd with Morgan's crew,
Who oft, 'mid our carousals, spake
Of Raleigh, Frobisher, and Drake ;
Adventurous hearts ! who barter'd, bold,
Their English steel for Spanish gold.
Trust not, would his experience say,
Captain or comrade with your prey ;
But seek some charnel, when, at full,
The moon gilds skeleton and skull :
There dig, and tomb your precious heap :
And bid the dead your treasure keep ;

Sure stewards they, if fitting spell
Their service to the task compel.
Lacks there such charnel ?—kill a slave,
Or prisoner on the treasure-grave ;
And bid his discontented ghost,
Stalk nightly on his lonely post.
Such was his tale.

On the other hand, murder has been committed as a spell to aid the discovery of treasure. In the spring of 1869, the *Levant Herald* reported that a rayah Greek of Constantinople dreamed that a heap of treasure lay buried in the plain of Veli Effendi, beyond the Seven Towers, but that to discover it he must kill a child on the spot. Saying nothing to his wife, he resolved to sacrifice his own little daughter, a child of ten years. As she was at school when he formed this diabolical resolution, he went thither, took her away, and on pretence of going for a walk, led her to the supposed place, and there murdered her ! Having accomplished the deed, he began digging for the gold ; but after several hours' exploration, without any appearance of the hoard, he returned home, leaving the dead child lying. The mother, wondering what had become of the girl, questioned her wretched husband, and he answering incoherently, suspicion was aroused, search was made, and the body being found, the murderer confessed his guilt.

Various stories have been current in Scotland about spirits or demons thwarting the searchers for concealed treasure. In the end of last century, a cateran in the Highlands of Perthshire was said to have concealed his money in a cavern, which had been his haunt for many years. After his death, the report induced certain neighbours of the vicinity, and among the rest a sagacious farmer of the name of Finlay Robertson, to

make a thorough investigation, in the hope of rendering themselves the freebooter's heirs. They repaired to the place, provided with the necessary implements, and commenced their work with great vigour, confident of a successful termination, when in an instant, each and all of them were struck as by an electric shock, and the mattocks dropped from their nerveless hands. Overcome with mortal terror, they rushed pell-mell from the cave, as though a legion of fiends had them in chase ; and so strong was their conviction that some unearthly influence had exerted itself against them that they never again mustered courage to return. The cateran's *pose* may therefore be lying untouched to this day. A tradition exists relating to a pot of treasure buried in the bottom of a deep pool beneath a fall of the stream crossed by Crawfordland Bridge near Kilmarnock. Often did venturesome wights dam up the current, and empty the basin ; but their work went no farther ; for invariably did strange cries, now of alarm, and now of distress, lure them away to a short distance, and in the interval the water burst the dam, rendering all their toil useless. In like manner a reputed hoard in the ancient Castle of Hermitage was frequently sought for, but every time the operators were scared away by sudden storms of thunder and lightning ! It was long believed that a great amount of wealth lay hidden under the ruins of the Collegiate Church of Methven, Perthshire, but that the depositors, to ensure its immunity from plunder, had buried the *Plague* along with it ; so that any disturbers of the hoard would let loose the Pestilence upon the country. At one time, several of the more courageous villagers ventured on a search ; but as they dug, a bluish, foetid vapour began to rise from the earth, and then a

hollow voice exclaimed—"Begone! Let sleeping dogs lie!"—a warning which instantly scattered the party, and has ever since prevented any resumption of such an enterprise.

Wierus, a writer on the magic and witchcraft of former days, relates that a priest of Nuremberg having raised the devil by incantation, the fiend showed him in a mirror the place where vast wealth lay concealed. The priest went to the spot, and began his excavations. Labouring hard, he at length reached a chest of treasure, over which a black dog appeared, acting as guardian; but next moment the earth fell in upon the searcher, and covered him up, and he was never more seen, nor was the place where he had perished ever known. This legend has a Perthshire parallel.

An upright block of stone in Glenalmond—either an ancient landmark, or the monument of a pre-historic chieftain—was said to denote where treasure lay hidden. A shepherd of the neighbourhood dreamed one night of digging out a rich *pose* from under this monolith; and so strongly did the fancy impress his mind that frequently as he passed the place, morning and evening, his ear seemed to catch the chink of coin beneath the stone. At length he determined to make a thorough search, and with that view repaired to the spot early on a summer morning with the necessary implements. But scarce had he struck his spade into the sod when a shrill voice exclaimed—

"Black John! Black John!
Beware of that stone!"

Starting back, and letting the spade drop from his nerveless fingers, he gazed tremblingly around; but nobody was to be seen! Perhaps it was the elvish guardian of

the treasure who had spoken, as being averse to the discovery of the hoard ; and if so, there could be no longer any doubt about the actuality of the pose. Fired with this idea, our hero fell to work with might and main, steeled against the opposition of the unseen world. The mystic warning was repeated ; but it fell on ears deaf as the adder's—hermetically sealed by the hand of Mammon. The labour proceeded rapidly ; but still without any sign of the “ kist ” or pot against which the breathless herdsman expected every moment to clash his spade. Unwittingly he toiled—never perceiving that he was undermining the huge stone. In an instant, down it tumbled upon his back, burying him, a lifeless mass, in the grave of his imaginary riches : and thenceforward it was known as *Clach-a-buachil*, or the Stone of the Herdsman.

The “ Standing Stone ” on the hill of Kirriemuir, Forfarshire, has a tragic legend somewhat akin to that which has just been related. This relic, which originally formed a single monolith, has, at some time in the distant past, “ been split into two, one part left standing, the other lying on the ground. Above the surface of the ground, the standing part is nine feet in height, and the lying part of the stone nearly thirteen feet in length. The purpose for which the stone was erected is unknown. Regarding the cause of the stone having been split into two, tradition saith that after a most daring robbery had been committed, the robbers sat down beside the stone to count their gold, when the stone suddenly split into two, the falling part burying the robbers and their booty underneath together. It is currently believed, that by lifting the stone, the treasure

would be found, but to this day no one has had the courage to test the experiment." *

Two hundred years ago, Roslin Castle, the old seat of "the lordly line of high St. Clair," was reputed as being the repository of concealed wealth—at least Slezer, the Dutchman, so averred in his *Theatrum Scotiæ*, 1693. "A great treasure, we are told," quoth he, "amounting to some millions, lies buried in one of the vaults. It is under the guardianship of a lady of the ancient house of St. Clair who, not very faithful to her trust, had been long in a dormant state. Awakened, however, by the sound of a trumpet, which must be heard in one of the lower apartments, she is to make her appearance, and to point out the spot where the treasure lies." But the blast of the trumpet has never yet been heard.

The ruins of Castle Tirim or Tiorim, crowning a low, rocky promontory, which is now and then surrounded by the sea, on the south side of the opening of Loch Moidart, on the West Highland coast, are associated with the lore of treasure-trove. The castle was for ages the seat of the Macdonalds, Chiefs of Clanranald. It is said to have been built about 1350 by Amie Macrory, the first spouse of John of Isla, Lord of the Isles; and in its palmy days it must have been a fortress of great strength—three stories in height, and with all its windows looking into the courtyard, not one being towards the sea. In 1715, when the Earl of Mar raised the Jacobite standard of rebellion, a party of the Argyle Campbells seized the Castle in the Hanoverian interest, as the Captain of Clanranald, Allan Moidartach (of

* *The Vale of Strathmore: its Scenes and Legends.* By James Cargill Guthrie: Edinburgh, 1875, p. 483.

Moidart), one of Mar's most devoted partisans, was about to join the insurgents. Allan marched off, but left a party of his men in ambush near the Castle to watch the garrison, and if possible to drive them out and then set the place on fire to prevent it again harbouring foes. Allan's plan was speedily carried into effect, and the seat of his ancestors given to the flames.* He himself fell at the Battle of Sheriffmuir, leading on his clan.

It is related by a writer in the *Celtic Magazine* (vol. xi., p. 409), that "there always had been a tradition in Moidart, since Allan's death, that, in the hurry of departure from the Castle, a certain sum of money had been forgotten, which might be found buried under part of the ruins. It was also a tradition that, previous to Allan's time, another sum had been stolen from one of the Chiefs then resident at Castle Tyrim, and that, doubtful as to the real culprit, the Chief hanged his butler, his cook, and another servant, all of whom he had strong reasons to suspect. Most people, except the natives, looked upon these traditions as idle stories, for there never yet has been a ruined castle without its legend of some secret treasure being buried beneath its vaults, or stored away in some secret chamber which no one can find. However, in the present case, the tradition turned out to be correct. When Mr. Hope Scott bought the adjoining property from the late Lochshiel, he took steps to have the inner court of Castle Tyrim cleared of a large mass of debris which blocked the entrance, and which filled the court to a depth of several feet. About a week after

* Anderson's *Guide to the Highlands*. Fourth edition, p. 128.

commencing operations, one of the workmen, in clearing away the fragments of a beam which had been reduced almost to charcoal, perceived a small heap, which he at first imagined to be a part of this charcoal, but which, on a closer examination, he discovered to be cloth or leather, but so worn or burnt as to make it difficult to determine its true substance. Inside the heap there was a heavy coagulated mass of coins, large in shape, and encrusted with verdigris. The find was, of course, handed over to Mr. Hope Scott. Upon examination, and after a thorough cleaning and burnishing of the whole, it was discovered that these coins were Spanish and German silver dollars, solid like our own crown pieces, lately in circulation, and of beautiful design. Ultimately, they passed into the hands of Admiral Sir Reginald Macdonald of Clanranald, so that, after a lapse of one hundred and sixty years, they may be said to have returned to their legitimate owner." Let us here venture the conjecture that this foreign money had been secreted long before Allan of Moidart's day, and that he had never known of its existence—else he would have ordered it to be brought away by the party who fired the Castle.

The same writer further states that "a few years after this, that portion of Moidart, latterly called Dorlin, was bought from Mr. Hope Scott by the late Lord Howard of Glossop. Amid the many schemes for improving the estate, inaugurated by that enlightened nobleman, was one of opening up a path along the cliffs overhanging the sea-shore, eastward of Dorlin House, towards a deserted hamlet called Briac. When the cutting had reached one of the roughest spots, a small open space, barely visible from below, was discovered, and in its

centre a heap of loose stones, which, on being dispersed, revealed a pile of silver coins, about the size of our present shilling pieces. So far, as can be judged, there must have been a hundred and fifty, or thereabouts, of them. They all belonged to the reign of Queen Elizabeth, and were of the very basest metal. This, undoubtedly, was the money stolen from one of the earlier chiefs, and for which his hapless servants suffered."

During the Rebellion of 1715, a Jacobite emissary, a Perthshire man, named Duncan Graham, came over from France with a small supply of arms and money for the English insurgents, intending to put ashore in the Solway. Before this was effected, however, his sloop was chased by an English cruiser, and driven into the Firth of Clyde, where the arms and treasure, with a considerable quantity of smuggled goods, were safely landed under cover of a dark night. It was the month of November, and, soon after quitting the vessel, Duncan learned with dismay that the town of Preston had surrendered, and the Earl of Mar had lost the Battle of Sheriffmuir. The arms were placed in temporary security, and Duncan and his coadjutors resolved to attempt carrying the money and despatches across the country to the Rebel camp at Perth. They set out, and, after a great deal of marching and counter-marching, were closely pursued, and driven to seek refuge among the Trossachs, where they hurriedly buried the treasure to save it from the chance of being taken. Scarcely was this effected when the enemy were upon them. Resistance was fruitless; yet Duncan defended himself with desperation, and fought on until he was overpowered. He fell, covered with wounds, and was left for dead. But some friendly Highlanders,

afterwards passing by the scene of conflict, found him where he lay, and, perceiving that he still breathed, conveyed him to a cottage, by which means his life was preserved. The utmost care was taken of the helpless stranger. He languished till after the suppression of the Rebellion; and, although he slowly recovered his strength, it soon became manifest that his reason was shattered. His memory retained only a broken impression of the past. He remembered his mission from France, and the money with which he had been entrusted, and that he had buried it; but as to the place of its concealment, he had no recollection whatever: whilst his companions in the adventure were either dead or in exile—nobody knew anything about them. Duncan left his sick-bed, with the sense of duty strong upon him. He had no home—no friends; and he seemed to consider the recovery of the hidden treasure and its restoration to the proper owners as the imperative object of his life. Forth he wandered among the hills and glens in quest of the lost deposit. Day by day he was seen in the solitudes, roaming slowly, with keen eyes scrutinizing the ground and the crannies of the crags; and people began to speak of him as “Duncan the Seeker,” and, pitying his mental affliction, charitably supplied his bodily wants. For years he led this strange, errant life, until at last he dropped down in the desert, and drew his last breath—his treasure still unfound.*

In the month of March, 1728, a Dutch East-Indiaman, homeward bound, with specie on board to the amount of £16,000 sterling, was lost on the coast of Scotland, near the Isle of Lewis. Soon a project was set on foot for recovering the treasure from the depths

* Fillan's *Stories of the Scottish Rebellions.*

of Neptune's realm. A Dutchman brought to this country a machine adapted for the purpose, and he managed to obtain funds for carrying on the work from two Scotsmen who were to share in the profits realised. These capitalists were Mr Mackenzie, younger of Delvine, Perthshire, who was a Clerk of Session and also Depute-Admiral of Scotland, and Mr. Alexander Tait, merchant. The Dutchman proved no Douster-swivel. The operations were so successful that by the month of October, several cartloads of the fished-up money were brought to Edinburgh. Hearing of this, the Dutch East-India Company petitioned the Scottish Court of Admiralty on the subject, and Mr. Mackenzie gave in an account of his intromissions, showing that he had recovered £14,620 at the cost of £9000 of working expenses. The statement was satisfactory, and Mr. Mackenzie was found entitled to 20,000 crowns and some doubloons out of the treasure, and decerned to lodge the remainder in Court. The divers employed about the ship brought ashore the dead bodies of 240 seamen of the crew, and gave them decent burial. At the end of the same year, a certain Captain Row came down from London to Scotland with a Royal privilege for ten years empowering him to raise treasure, etc., out of lost ships on the Scottish coasts. He tried his skill upon a Spanish Armada ship, which had gone to the bottom off the island of Barra ; but it would appear that his pains proved unremunerative.

Whilst supernatural beings watched jealously over hidden treasures, certain of that fraternity were occasionally generous enough to communicate to favoured mortals the secret of where concealed wealth lay. A case or two in point may be related.

The Presbytery of Aberdeen held a meeting on 20th November, 1601, when "Walter Ronaldson, in the Kirkton of Dyce, being cited to this day, as he that was delated to have familiarity of a spirit, compeared, and being examined, confessed that, upon a 27 years syne, there came to his door a spirit, and called upon him, 'Wattie, Wattie,' and this was in the barley-seed time, and therefra removed, and thereafter came every year twa times sinsyne, but saw no thing, but heard a voice as said is. In special at Michaelmas in 1600 years, it came where the deponer was in his bed sleeping, and it sat down anent (opposite) the bed upon a kist, and called upon him, saying, 'Wattie, Wattie,' and then he wakened and saw the form of it, which was like ane little body, having a shaven beard, clad in white linen like a sark, and it said to the said Walter, 'Thou art under wraik; gang to the weachman's house in Stanivoid, and there thou shalt find both gold and silver with vessel,' wha, according to the direction, geid to that place, having with him spades and company, and could find na thing, and he was foustaleless (without strength) he could not do na thing, always they that was with him, viz., Patrick Gray, John Baith, and William Paul, and they [searched for a] kist, but faund na thing. The persuaders of him to gang there were his wife and bairns, and believes there is gold there, if it was well sought. Mr. William Nelson, his minister, reported that he is a diligent hearer of the Word, and communicat with the Sacrament of the Lord's Table; and Mr. William to try further of him."* It would

* *Selections from the Records of the Kirk Session, Presbytery, and Synod of Aberdeen* (Spalding Club), p. 184.

thus appear that Wattie continued firmly to hug the belief that had he been in what Scotch lawyers call *legi poustie*, and therefore able to seek well, he would have found the *pose*.

Another and far more remarkable case had a different denouement. About the year 1750, a young divinity student, named Thomas Lilly, the son of a farmer in Kelso parish, was one day sitting in his father's house, when an old man suddenly appeared in the room, and declared himself as the spirit of one of the youth's ancestors ! "What ?" cried the student, in mingled terror and amaze. "Art thou the soul of my grandfather, who amidst riches perished for lack of food ?" To which the apparition replied—"Thou art right. Money was my deity, and Mammon my master. I heaped up gold, but did not enjoy it. It is, for the most part, hidden in a field, on your father's farm, and I intend that you, his son, should be the sole possessor of it. Follow me to that field, and I will point out to you the precise place where you are to dig." An astounding disclosure ! And, continues the narrative, "here the apparition stalked forth round the barn-yard, and Lilly followed him, till he came to a field about three furlongs from his father's door, when the apparition stood still on a certain spot, wheeled thrice round, and vanished into air. This proved to be the precise place which young Lilly and his companions had often devoted to pastime, being a hollow whence stone had formerly been dug. He lost but little time in consideration, for having procured a pick-axe and a spade, he actually discovered the treasure. His immense wealth enabled him to perform many acts of charity in that country, as many can testify to this day. The pots in which the money, consisting

of large pieces of gold and silver, were deposited, have often been shown as curiosities hardly to be equalled in the south of Scotland." Such is the wonderful relation, which appeared in the *World of Spirits*, published in 1796. Perhaps the tale had some slight foundation in fact—a dream, and the finding of a hoard ; but as it stands, we can only remark of it, in the words of the old proverb, that " if a' stories be true, this is nae lee."

Some treasure stories and rhymes are known in Abernethy, the capital of the Picts. The Golden Cradle in the Loch has been heard of for generations, but never brought to light ; and there is a rhyme which says—

As muckle siller lang has lain
'Tween the Castle Law and Carney-vane
As would enrich a' Scotland ane by ane.

Carney-vane is among the hills south of the Castle Law of Abernethy, and in that vicinity, at a former time some golden keys were, it is said, found in a burn—probably those of the treasure chest. But the legend of the Golden Cradle is worth telling *ad longum*.

Old chroniclers aver that when the Pictish kingdom, which had endured for 1181 years, was subverted by the Scots, under King Kenneth Macalpine, "every mother's son" of the vanquished people perished in ruthless massacre ! Be this as it might, our present object is not to quarrel with the misleading tradition, but rather to follow one of its many ramifications.

The last stronghold of the Picts was the royal castle on Abernethy Law, and overlooking the small lake which fills a circular hollow of about sixty yards in diameter on the summit of the hill, where remains are still to be seen of ancient Caledonian fortifications. The water is re-

puted very deep, and its basin seems the crater of an extinct volcano, the surrounding rocks being evidently of igneous origin. The supposed site of the Pictish castle is pointed out on the east side, where a peak rises from the edge of the loch.

When King Druskin, the last monarch that swayed the sceptre of Pictavia, went forth to encounter the Scots, he left his Queen and his infant son (the heir to the crown) in the Castle of Abernethy. The child lay in a cradle of pure gold, tended by his royal mother and a faithful nurse. Successive disasters in the field of battle prostrated the Pictish power; and the victorious Scots advanced, like ravening wolves, to destroy the castle and to make prize of the Golden Cradle, of which they had heard wondrous legends. The garrison was weak and disheartened, and murmured about capitulation on promise of life. The Queen was overpowered with grief and dismay—her consort slain and his armies routed. In a paroxysm of desperation, the nurse snatched up the cradle with the sleeping infant, and issuing from the castle gate, ascended the rock on the bank of the loch, and there stood for a moment, elevating the cradle above her head in sight of the approaching enemy, who shot off a volley of arrows at her; but every shaft, though apparently winged with death, flew wide of the mark. Uttering a shriek of defiance, which rose shrilly above the shouts of the Scots and the clash of arms, she leaped from the eminence, and disappeared with her precious burden in the quiet waters of the lake! Infuriated by the disappointment, the enemy stormed the castle, slew all within its walls, and committed it to the devouring flames. They next set themselves to the recovery of the cradle, which they conceived easy of

accomplishment. But their labours were interrupted by a terrible tempest; and in a pause of the elemental strife, a gaunt female figure, haggard and wild, emerged into view in the midst of the agitated loch, and chanted, in hollow tones, the following strain—

“ Forbear, forbear, or thus feel my power !
 The golden cradle can never be got,
 Till a mortal, undaunted, at midnight’s mirk hour,
 Nine times alone shall encircle this spot.
 When nine green lines shall encircle me round,
 Then, then, shall the golden cradle be found.”

Having uttered these words, she sank beneath the waves: and the Golden Cradle has never more been seen.

Not for lack of adventurers to undertake the search, like King Arthur’s knights in the quest of the *Sangreal*; but hitherto the difficulties in the way have proved insurmountable. It has been generally believed that if a person proceeded alone, at midnight, to the loch, and encircled it nine times with a green thread, the charm would be complete, and the cradle be obtained; but the experiment has always been baffled by storms, voices, or apparitions. Sometimes a dwarfish man, of brown complexion, with locks and beard of shaggy red hair, and clad in brownish habiliments of an antique cut, and wearing a conical cap, crossed the path of the seeker, and angrily commanded him to desist. This misshapen being seems to have been akin to him who appeared to Keeldar on the Border heath—

The third blast that young Keeldar blew,
 Still stood the limber fern;
 And a Wee Man, of swarthy hue,
 Upstart by a cairn.

His russet weeds were brown as heath,
That clothes the upland fell ;
And the hair of his head was frizzly red,
As the purple heather-bell.

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“ Why rises high the staghound’s cry,
Where staghound ne’er should be ?
Why wakes that horn the silent morn,
Without the leave of me ? ”

“ Brown Dwarf, that o’er the muirland strays,
Thy name to Keeldar tell ! ”

“ The Brown Man of the Muirs, who stays
Beneath the heather-bell.

“ ’Tis sweet, beneath the heather-bell,
To live in autumn brown ;
And sweet to hear the lav’rocks swell,
Far, far from tower and town.

“ But woe betide the shrilling horn,
The chase’s surly cheer !
And ever that hunter is forlorn,
Whom first at morn I hear.”

Stories have been rife among aged denizens of Abernethy concerning reckless “blades” who essayed the winning of the Cradle. “There was never ane that gaed”—a narrator would say—“but something uncanny befel him. My granny kent twa or three that tried it : and sair did their folk rue that ever they had played siccan a pliskie. The first was a stout, clever fellow, ca’d Matthew Muckley. He was a sailor ; and when his ship arrived at Leith, he cam’ ower the Forth to see his faither and mither that dwelt in Abernethy. It was about New-Year time ; and Matthew’s pouches were weel lined wi’ siller ; and him and his auld acquaint-

ances drank helter-skelter, and kicked up the awfu'est dust that ever was seen. Weel, ae nicht the story o' the Cradle cam' aboon board, and the sailor swore he wad gang to the loch-side, and try his luck. As nane o' his drucken cronies durst gang wi' him, they agreed to sit up and drink afore he cam' back, either wi' the Cradle ablo his oxter, or at least an account o' his adventure. Aff he gaed, and they waited till daylight, and nae word o' him ; syne aff they set to the Law in search o' him ; but their search was a' in vain ; for, frae that day to this his disappearance has remained a dead mystery ! And, secondly, there was Jock Pilversie wha tried it, and though he cam' back he was an idiot a' his days after't, and could never tell a word about what he had heard or seen. And, again, there was Tam Pitcurran that gaed too, and was deaf and dumb till the day o' his death. My granny kent a' thae three ; but how mony tried it afore her day I canna say." And in this vein the legends run.

A practical joke has been often played upon treasure-seekers by a great boulder in a field in Galloway, upon the upper surface of which are inscribed the following words—

Lift me up, and I'll tell you more.

Those who were at the trouble to turn over the stone, expecting the revelation of a valuable secret, found this corresponding line on the under surface—

Lay me down as I was before.

A curious discovery of money was made in the parish of Strathblane, about the year 1793, which is circumstantially related in the old *Statistical Account*.

The pose was found inside a log of wood about a foot and a-half square, and comprised silver coins of Queen Elizabeth, James I., and Charles I., with a few gold coins, amounting altogether to the sum of £40. The money was ingeniously concealed : a small triangular opening was cut into one of the sides of the wood, by which an interior excavation was made, sufficient to hold the deposit, and the aperture was then neatly closed up with a piece of wood, fastened with wooden pegs, so as to elude observation. The parish minister added the following interesting observation :—

The history of the log itself is somewhat singular. It can be traced back for forty years. At that time, it is remembered to have served as a prop to the end of a bench in a schoolhouse near the church. Afterwards it was used as a plaything by children, who amused themselves by carrying it to the top of a declivity, whence it rolled to the bottom. It then lay many years on the wall of the churchyard. At last, it was appropriated by a crazy old woman, a pauper, who lived in a hut by herself. She used it as a seat for above a dozen of years. She dying, a neighbour was employed to wash the clothes that were found in her house. As fuel was scarce, the log was laid on the fire to heat water for that purpose ; it not burning quickly, the washer-woman took it off, and proceeded to cleave it with a hatchet. At the first stroke the treasure came out and was secured by the woman, who, perceiving the value, wished to conceal it. In a few days, however, it was divulged. But the woman's husband, who was a worthless fellow, got hold of it, and decamped with the whole amount ; a few pieces excepted, which he had previously sold. He has not since been seen in the country, and has left his wife to support five children by her own industry.

In the end of the year 1761, a case of alleged hidden treasure came before the Sheriff Court of Perthshire, on a summons raised at the instance of William M'Laren, journeyman shoemaker in Perth ; Janet M'Laren, there ;

and Agnes M'Laren, spouse to Thomas Williamson, weaver, there, executors *dative qua* nearest of kin to the deceased Janet M'Laren, in Easter Hatton of Cargill, against James Williamson, in Wester Hatton. The summons set forth that the said deceased Janet M'Laren, the pursuers' aunt, having lived in a cottar house in Easter Hatton for three or four years ; and the said Janet lived in the house with her ; and about the month of January, 1739, while the defunct was on her death-bed, she told that for security of keeping her money she had lodged or deposited the same in the floor of her house, and she then legated it to the said Janet, with the burden of paying to the said William £50 Scots to put him to the shoemaking trade. She died very soon after, and the said Janet made search for the money after the defunct's funeral, but she did not find it. In a few years after, the defender entered to and possessed the said house for several years, and found the money in the earth or floor of the house safely deposited, which he intromitted with, and about two years ago he did openly in a public company, before witnesses, acknowledge that he had got forty-six guineas or *red-heads* in the defunct's floor, which had been deposited by her.

The defender lodged defences, denying the libel as laid. It was not till sixteen years after the defunct's death that he came to reside in her house, and he resided in it for four and a half years. He was informed that after her death her friends searched the whole floor of the house, and demolished the house itself, and again rebuilt it. About two years ago the defender happened to be in a company at Coupar-Angus, when some of the company having said in a joke (as he apprehended) that

"he had got the said Janet's pose, consisting of about fifty guineas," he answered that if he had got that sum, he would not have lived in a grass house, * as he had so long done.

The Sheriff having ordered a proof to be taken, the pursuers, on 6th November, adduced the following witnesses :—

1. Alexander M'Laren, in Easter Hatton of Cargill. He heard the defunct say when on death-bed that she had 50 guineas deposited in the floor of her house below the bed she lay on. He was in company with the defender, in the house of Thomas Edward, brewer in Coupar-Angus, about Martinmas, 1759, when others were present ; and when the reckoning was to be paid, the company said to the defender that they would not have him to pay any because he was late of coming ; but the defender said he was as able to pay as any of them, and upon that chapped upon his breeches ; and some of the company said that if it was true what was reported of his getting the old woman's money he ought to be able enough ; and the defender, directing his discourse to the deponent, asked him how much there was said there was of the money, and the deponent answered it was reported there was more than fifty guineas of it—yea, near to sixty, and the defender thereupon said he knew better than any of them, for devil one more there was than two and forty *red-heads*, though he was brought to oath for it ; and the deponent having said that if there was white money enough it would make up the account, the defender answered, "You shall know no more of it this night," and said that none of the name of M'Laren had the courage to go under the ground, and although he got that money he was doing harm to no man. The defunct's house was a grass house, and she died on the Windy Saturday, which was in January, 1739.

2. John Cant, in Easter Hatton, was in the company in Edwards' house, and corroborated the preceding witness as to what the defender said about the forty-two guineas. He never heard

* A grass house was a cottar house—both terms being synonymous.

defunct speaking about that money ; but it was generally reported that she had a pose. The defender was reputed a poor man when he came to possess the defunct's house, but afterwards he seemed to have money. It was his own opinion that the defunct was not very sensible when she was on death-bed.

3. Elizabeth Galletly, spouse to the above John Cant, was with her husband in Edwards' house, and deponed alike to him.

4. Thomas Cross, in Easter Hatton : The defunct lived in a cottar house of his, and one night when he was visiting her on death-bed, he heard her say that she had some money in the earth below her bed, with two peats above it ; and one James M'Laren, now deceased, being present, reached in his hand below the bed, but he did not dig up any of the earth, neither could he get in below the bed so as to search for the money. The defender was a poor man when he came there, but was now reputed in better circumstances. The deponent saw a part of the floor digged in order to fix the feet of the defender's bed.

5. John Craig, in Easter Hatton, aged 75, had frequently heard the defunct say that she had a pose in the ground below her bed.

No further steps appear to have been taken in the process, so that we may conclude that the parties settled the matter extrajudicially.

We end the subject here, forbearing to deal with the numerous instances on record of buried and otherwise concealed money being discovered accidentally in various parts of Scotland.

V.

THE CORPSE-CANDLES.

Corpse-candles gliding over nameless graves.

—Tennyson's "*Harold*."

And where that sackless knight lay slain,
The candles burned bright.

—Ballad of "*Earl Richard*."

THE *Ignis fatui*, or "moss-traversing spunkies," which "decoy the wight that late and drunk is," luring him astray to his destruction in bog or ditch, have been common in marshy districts, and were long regarded as "tricksy sprites," whose office was mischief. But the similar phenomena, under the name of *Corpse-Candles*, when occasionally seen at night burning solemnly in lone churchyards, and also in desert places where perchance they pointed out the secret graves of the murdered, or glided slowly along, presumably indicating the course of a future funeral, inspired far more awe and dread, and formed the subject of a profound superstitious belief to former generations. We can well understand what terror would seize the ignorant and credulous peasant, on his homeward journey in the dark, as he glanced timidly in the direction of the silent burial-place near which his road lay, and perceived twinkling lights hovering above the graves or wandering amongst the grassy hillocks and the grey headstones! His heated imagination would exaggerate what he saw, and the science and learning of his day could afford no rational explanation of such fearsome mysteries.

The superstition relating to Corpse-Lights pervaded various countries from early ages. The Venerable Bede records that the priest Peter, the first Abbot of St. Augustine's monastery, near Canterbury, "being sent Ambassador into France, was drowned in a bay of the sea, which is called Amphleat, and privately buried by the inhabitants of the place; but Almighty God, to show how deserving a man he was, caused a light to be seen over his grave every night; till all the neighbours who saw it, perceiving that he had been a holy man who was buried there, inquiring who, and from whence he was, carried away the body, and interred it in the church, in the city of Boulogne, with the honour due to so great a person."*

Another manner of manifestation of such lights was believed to be their appearance, at night, over waters under which drowned corpses lay. Thus, an old example is said to have occurred, in 1383, on the martyrdom of the Bohemian saint, John Nepomucen—so surnamed from his being born at Nepomue, a small town some leagues from the city of Prague. The Saint incurred the wrath of Wenceslaus IV., Emperor and King of Bohemia, who threatened him with torture and death unless he revealed the confession of the Empress Jane. St. John, refusing to break the seal of confession, he was seized at Prague, under cloud of night, by the tyrant's orders, and "thrown off the bridge which joins the Great and Little Prague, into the river Muldaw, with his hands and feet tied, on the vigil of the Ascension, the 16th of May, 1383. The martyr was no sooner stifled in the waters, but a heavenly light appeared over

* *Ecclesiastical History*, Book I., chap. 23.

his body floating on the river, and drew many to the banks. The Empress ran in to the Emperor, not knowing what had happened, and inquired what was the occasion of the lights which she saw on the river. The tyrant struck at the news, fled in a hurry, like a man distracted, to a country house, forbidding any one to follow him. The morning discovered the villany, and the executioners betrayed the secret. The whole city flocked to the place; the canons of the cathedral went in procession, took up the body with great honour, and carried it into the Church of the Holy Cross of the Penitents, which was the next to the place where the body was found." *

The old French romance of *Renaud of Montauban*, furnishes a notable example of this superstition. The valorous hero, Renaud, driven to extremity by the implacable hostility of Charlemagne, passes away, in humble disguise, to Cologne, where he becomes a labourer to the masons employed in building the Church of St. Peter, and performs herculean feats in carrying large stones. Filled with mortal envy, the masons conspired against him, knocked out his brains, and flung his body into the Rhine. What followed? "All the fish of the river gathered them about the corpse, and bore him above the river so that he appeared to every man's sight, and when night was come, there was so great light about the corpse, that all they that saw it weened the river was afire." †

* Butler's *Lives of the Saints*, May 16.

† *Renaud of Montauban*: First done into English by William Carton, and now abridged and re-translated by Robert Steele. London: 1897, p. 279.

The same superstition took deep root in Scotland and Wales. Mr. Davis, a Welsh clergyman, communicated to Mr. Richard Baxter, a particular account of these strange appearances, which the worthy author of *The Saints' Rest* inserted in his *Certainty of the World of Spirits*. "Those fiery apparitions," says Mr. Davis, "we call Canhwyllan Cyrph (*i.e.*), Corps Candles ; and candles we call them, not that we see anything besides the light ; but because that light doth as much resemble a material candle-light as eggs do eggs, saving that in their journey these candles be *mode apparentes*, *mode disparentes*, especially when one comes near them ; and if any one come in the way against them, unto whom they vanish ; but presently appear behind and hold on their course. If it be a little candle pale or bluish, then follows the corps," after some interval of time, of an infant ; if the candle be big, "then the corpse of some one come to age : if there be seen two, or three, or more, some big, some small, together, then so many and such corpses together. If two candles come from divers places, and be seen to meet, the corpses will do the like ; if any of these candles are seen to turn, sometimes a little out of the way, or path, that leadeth to the church, the following corps will be forced to turn in that very place, for the avoiding some dirty lane or plash, etc. Now," he proceeds, "let us fall to evidence. Being about the age of fifteen, dwelling at Lanylar, late at night, some neighbours saw one of these candles hovering up and down along the river bank, until they were weary in beholding it ; at last they left it so, and went to bed. A few weeks after, came a proper damsel from Montgomeryshire, to see her friend, who dwelt on the other side of that river Istwith, and thought to ford the

river at that very place where the light was seen ; being dissuaded by some lookers-on (some it is most likely of those that saw the light) to adventure on the water, which was high by reason of a flood, she walked up and down along the river bank, even where, and even as the aforesaid candle did, waiting for the falling of the water, which at last she took, but too soon for her, for she was drowned therein." Quaint John Aubrey copies Mr. Davis' letter in his entertaining *Miscellanies*, and adds that "my worthy friend and neighbour, Randal Caldicot, D.D., hath affirmed to me many years since, viz. : When any Christian is drowned in the river Dee, there will appear over the water, where the corpse is, a light, by which means they do find the body : and it is, therefore, called the Holy Dee."

The popular writer, George Borrow, mentions that during his Welsh peregrinations, in our own day, he was told by his guide that the Corpse-Candles did more than foreshow people's deaths. "They are very dangerous for anybody to meet with. If they ever bump up against you when you are walking very carefully it's generally all over with you in this world. I'll give you an example : A man returning from market from Llan Eglos to Llan Curig, not far from Plynlimmon, was struck down dead as a horse not long ago by a Corpse-Candle. It was a rainy, windy night, and the wind and rain were blowing in his face, so that he could not see it, or get out of its way. And yet the candle was not abroad on purpose to kill the man. The business that it was about was to prognosticate the death of a woman who lived near the spot and whose husband dealt in wool—poor thing ! she was dead and buried in less than a fortnight !" *

* *Wild Wales*, chap. lxxxviii.

Further, Sacheverell, in his *Account of the Isle of Man*, relates that "Captain Leather, chief magistrate of Belfast, in the year 1690, who had been previously shipwrecked on the coast of Man, assured him that, when he landed after shipwreck, several people told him that he had lost thirteen men, for they had seen so many lights move towards the churchyard, which was exactly the number of the drowned." So much for the Welsh and the Manx.

Sir Walter Scott states, in his *Border Minstrelsy*, that he was informed that some years previously "the corpse of a man, drowned in the Ettrick, below Selkirk, was discovered by means of these candles. Such lights," he adds, "are common in churchyards, and are probably of a phosphoric nature. But rustic superstition derives them from supernatural agency, and supposes, that, as soon as life has departed, a pale flame appears at the window of the house in which the person had died, and glides towards the churchyard, tracing through every winding the route of the future funeral, and pausing where the bier is to rest. This and other opinions, relating to the 'tomb-fires' livid gleam,' seem to be of Runic extraction." The fine old ballad of *Earl Richard* illustrates the superstition very strikingly. The lady-love of Earl Richard, actuated, apparently, by a violent fit of jealousy, poisoned him at a banquet, and committed his body to the depths of a pot or hole in the river Clyde. On suspicion of foul play arising, the King commanded that the water be searched. This was effected by means of diving; but the divers failed of success.

They douked in at ae weilhead,
And out aye at the other;
"We can douk nae mair for Erl Richard,
Although he were our brother."

The King having lodged, during these operations, in the "ladye's castle," a popinjay (or parrot) "that flew abune his head," chattered to him that he should have the Clyde searched by night, when the Corpse-Lights would reveal where the body lay. This sage advice was gladly taken.

They left their douking on the day,
And doukit upon the night ;
And where that sackless knight lay slain,
The candles burned bright.

The deepest pot in a' the linn,
They fand Erl Richard in ;
A greene turfe tyed across his breast,
To keep that gude lord down.

Still there was a doubt as to the perpetrator of the crime ; but the popinjay solved it by affirming that the lady "took his life, and hided him in the linn." The lady, on being impeached, firmly denied her guilt.

She swore her by the grass sae grene,
Sae did she by the corn,
She had na seen him, Erl Richard,
Since Moninday at morn.

"Put na the wite on me," she said ;
"It was my may Catherine."
Then they ha'e cut baith fern and thorn,
To burn that maiden in.

It wadna take upon her cheik,
Nor yet upon her chin ;
Nor yet upon her yellow hair,
To cleanse the deadly sin.

But although the fair may's innocence was thus attested by the fire, she was next subjected, along with her mistress, to the ordeal of touching the dead body.

The maiden touched the clay-cauld corpse,
A drap it never bled ;
The ladye laid her hand on him,
And soon the ground was red.

Out they ha'e ta'en her, may Catherine,
And put her mistress in :
The flame tuik fast upon her cheik,
Tuik fast upon her chin ;
Tuik fast upon her faire bodye—
She burn'd like hollins green.

A story is told of a serving-man, who, while riding alone at midnight, on a dreary road, was startled to observe a lambent flame, elevated a few inches above the ground, slowly approach him, on the other side of the way. In great alarm, he drew up his reins, and paused. The light still advanced, until on coming exactly opposite to him, it stopped likewise, and continued stationary as long as he stood there. When he put spurs to his horse, the flame resumed its progress, and speedily vanished in the gloom. Some short time afterwards, the man's master died suddenly ; his funeral went along the road on which the light was seen, and an accident occurring, the hearse halted on the very spot where the light had stopped !

The Corpse-Candles were well known in the Highlands : and Mrs. Grant of Laggan, in her *Essays on Highland Superstitions*, relates an extraordinary sight witnessed by a venerable minister of the north :—

It was his custom to go forth and meditate at even ; and this solitary walk he always directed to his church-yard, which was situated in a shaded spot, on the banks of a river. There, in a dusky October evening, he took his wonted path, and lingered, leaning on the church-yard wall, till it became twilight, when he saw two small lights rise from a spot within, where there was no

stone, nor memorial of any kind. He observed the course these lights took, and saw them cross the river, and stop at an opposite hamlet. Presently they returned, accompanied by a larger light, which moved on between them, till they arrived at the place from which the first two set out, when all the three seemed to sink into the earth together.

The good man went into the church-yard, and threw a few stones on the spot where the lights disappeared. Next morning he walked out early, called for the sexton, and showed him the place, asking if he remembered who was buried there. The man said, that many years, he remembered burying in that spot, two young children, belonging to a blacksmith on the opposite side of the river, who was now a very old man. The pastor returned, and was scarce set down to breakfast, when a message came to hurry him to come over to pray with the smith, who had been suddenly taken ill, and who died next day.

This story he told to my old friend, from whom I heard it ; and I am much more willing to suppose that he was deceived by an *ignis fatuus*, than to think either could be guilty of falsehood.*

Long ago, in a Perthshire hamlet, nestling at the foot of the Grampians, there dwelt, sayeth tradition, a young maiden of rustic parentage, who inherited a beauty which made her the pride and boast of her birth-place. She had many admirers, and among the rest two youths, both of whom belonged to a rank much superior to her own. Love—and their's was fervent—levels all conventional distinctions ; and so each of these ardent suitors was prepared to brave the wrath of his proud kindred for the sake of her heart and hand. One of the youths became the accepted lover, and when this was discovered by the rival, his wrath knew no bounds, and he vowed deadly vengeance. One day, they chanced to meet in a secluded glen, where they presently came to

* *Essays*, vol. I, p. 259.

high words and fierce recrimination. They fought, and the fair girl's betrothed fell pierced to the heart. The victor hurriedly committed the corpse to the earth, and fled from the fatal spot. The disappearance of the slain youth occasioned much commotion in the district; inquiry was made in vain. He had left his home in hunting gear, and was last seen on a hill side, in pursuit of a wounded roe; but all subsequent trace of him was lost. Day followed day, and still he came not—still his fate was hidden, and not a shadow of suspicion attached to his rival. After the lapse of some time, a rumour began to spread among the peasantry that mystic lights were frequently visible at night in the glen where the tragedy was consummated. Strange surmises passed from lip to lip. A watch was set in the glen, and a dim, trembling flame was seen in a particular nook, but when approached, though ever so stealthily, it glided away and disappeared. A "wise woman" of the parish was consulted, and she gave her opinion that some dead body lay interred beneath the spot where the Corpse-Candle had shone. The place being dug up, the mouldering remains of the youth were brought to light. His slayer no sooner heard of the discovery than, overcome with remorse and apprehension, he sought relief from his misery, by flinging himself headlong from the brow of a lofty precipice!

Another legend, though it cannot be said to refer to Corpse-Lights in their common acceptation, is nevertheless worthy of a place in this connection.

A poor widow, in a rural parish of the Perthshire Lowlands, was left with an only child, a girl of tender age, in whom her dearest affections centred, and whom she fondly trusted would prove the solace and stay of

her declining years. Not many summers had shed their sunshine on the flaxen tresses of the widow's daughter, when she sickened and died. The bereaved mother, in her desolation, was inconsolable ; she sorrowed as one without hope in the world, refusing to be comforted. The condolences of neighbours were unavailing : she was stricken to the heart, and her cheeks became furrowed with tears. Daily she spent hours at her child's grave, bemoaning herself, and weeping bitterly : and all remonstrances against this unceasing sorrow, she answered with fresh floods of tears. One morning, however, it was observed with pleased surprise that her habitual anguish seemed assuaged. Her cheeks were dry, her looks calm, breathing a holy resignation. When questioned by a friend as to this salutary change, she, with some hesitation, related a thrilling story :—

“Yestreen,” she said, “when a’ my wark was dune, I gaed awa’ to the kirkyard, and leaned me doon at Mary’s grave—my head and my heart like to rend. The gloaming darkened, and nicht cam’, without a glisk o’ the young moon through the thick clouds. Lang, lang I sat as in a dream, till I started, and cam’ to mysel’ in the mirk, wi’ a strange eeriness on me, and looked about, and saw mony clear lights, like candles, coming blinking in at the slap o’ the kirkyard dyke : and as they drew nearer, I saw it was a band o’ bonny bairns, a’ dressed in white, and ilka ane wi’ a lichted candle in its hand—na, no them a’ ; for there was ane that had a candle, but it wasna burning : and that ane—as they gathered in a ring around me—that ane was my Mary hersel’.

‘Mary !’ I cried, ‘Mary, what for haena you a lichted candle like your neighbours ?’ And, wi’ a sad smile, she answered me, ‘Mither, it’s your tears that are aye

drooning my candle oot ! I am in the place o' happiness ; but your sorrow is sair for me to bide. You will be wi' me, mither, when it's the Master's holy will, and we'll never part again. Dicht your een, and greet for me nae mair, and my licht will burn bonnily, like the lave !' That was a' she said ; and before I had time to put in anither word, the haill ring o' bairns and their candles vanished awa', and the moon, doon in the west, broke through the clouds, and shone dimly over the graves. I rose to my feet, and thankit God for the visitation, vowing that my sinfu' tears should droon oot my dear lassie's licht nae mair ; for the Lord gave, and the Lord took awa'—blessed be His name : and wherefore should I, a worm of the dust, complain o' His chastening hand ?" And to her dying day, she would never admit the probability that this suggestive scene passed only in a dream.

"The belief was general throughout Scotland," says Sir Walter Scott, in the Notes to *Redgauntlet*, "that the excessive lamentation over the loss of friends disturbed the repose of the dead, and broke even the rest of the grave. There are several instances of this in tradition." The belief was also common in other countries from early times.

Modern scientific research explains the phenomena of Corpse-Candles as caused by the exhalations or gases arising from decaying animal matter. The Baron Von Reichenbach, the eminent German writer on magnetism, mentions cases in which persons of highly-sensitive temperament beheld luminous vapour ascending from graves, though nothing of the kind was discernible by their companions. One experiment was made in the German poet, Pfeffel's, garden, by a young man, named Billing :—

The poet, being blind, had employed a young clergyman of the evangelical church, as amanuensis. Pfeffel, when he walked out, was supported and led by this young man, whose name was Billing. As they walked in the garden, at some distance from the town, Pfeffel observed that, as often as they passed over a particular spot, the arm of Billing trembled, and he betrayed uneasiness. On being questioned, the young man reluctantly confessed that, as often as he passed over that spot, certain feelings attacked him which he could not control, and that he always experienced the same in passing over any place where human bodies lay buried. He added, that at night, when he came near such places, he saw supernatural appearances. Pfeffel, with the view of curing the youth of what he looked on as a fancy, went that night with him to the garden. As they approached the spot in the dark, Billing perceived a feeble light, and when still nearer, he saw a luminous ghost-like figure floating over the spot. This he described as a female form, with one arm laid across the body, the other hanging down, floating in the upright posture, but tranquil, the feet only a hand-breadth or two above the soil. Pfeffel went alone, as the young man declined to follow him, up to the place where the figure was said to be, and struck about in all directions with his stick, besides running actually through the shadow; but the figure was not more affected than a flame would have been: the luminous form, according to Billing, always returned to its original position after these experiments. Many things were tried during several months, and numerous companies of people were brought to the spot, but the matter remained the same, and the ghost-seer adhered to his serious assertion, and to the opinion founded on it, that some individual lay buried there. At last, Pfeffel had the place dug up. At a considerable depth was found a firm layer of white lime, of the length and breadth of a grave, and of considerable thickness, and when this had been broken into, there were found the bones of a human being. It was evident that some one had been buried in the place, and covered with a thick layer of lime (quick-lime), as is generally done in times of pestilence, of earthquakes, and other similar events. The bones were removed, the pit filled up, the lime mixed and scattered abroad, and the surface again made smooth. When Billing was now brought back to the place, the phenomena did not return, and the nocturnal spirit had for ever disappeared.

The Baron himself, in order to try the like experiment, brought "a highly-sensitive patient by night to a churchyard," and the result was not disappointing :—

It appeared possible that such a person might see over graves in which mouldering bodies lie, something similar to that which Billing had seen. Mdle. Reichel had the courage, rare in her sex, to gratify this wish of the author. On two very dark nights she allowed herself to be taken from the castle of Reisenberg, where she was living with the author's family, to the neighbouring churchyard of Grunzing. The result justified his anticipation in the most beautiful manner. She very soon saw a light, and observed on one of the graves, along its length, a delicate, breathing flame: she also saw the same thing, only weaker, on a second grave. But she saw neither witches nor ghosts; she described the fiery appearance as a shining vapour, one to two spans high, extending as far as the grave, and floating near its surface. Some time afterwards she was taken to two large cemeteries near Vienna, where several burials occur daily, and graves lie about by thousands. Here she saw numerous graves provided with similar lights. Wherever she looked, she saw luminous masses scattered about. But this appearance was most vivid over the newest graves, while in the oldest it could not be perceived. She described the appearance less as a clear flame, than as a dense vaporous mass of fire, intermediate between fog and flame. On many graves the flame was four feet high, so that when she stood on them, it surrounded her up to the neck. If she thrust her hand into it, it was like putting it into a dense fiery cloud. She betrayed no uneasiness, because she had all her life been accustomed to such emotions, and had seen the same, in the author's experiments, often produced by natural causes. Many ghost stories will now find their natural explanation. We can also see that it was not altogether erroneous, when old women declared that all had not the gift to see the departed wandering about their graves; for it must always have been the sensitive alone who were able to perceive the light given out by the chemical action going on in the corpse. The author has thus, he hopes, succeeded in tearing down one of the most impenetrable barriers erected by dark ignorance and superstitious folly against the progress of natural truth.

These cases, granting their authenticity, certainly tend to explain the appearance of lights over graves, and in morasses and other places where inflammable gases are generated. It is generally believed that such lights occur oftener during autumn than at any other season of the year, which may be accounted for by reason of "the rapid changes of the atmospheric pressure, which allows the gases inclosed in the earth to escape more easily by favouring their natural electricity." It is told that at Bologna, in 1843, Onofrio Zanotti, the painter, saw the phenomenon in the form of globes of fire, issuing from between the paving-stones in the street, and even among his feet: they rose upwards, and disappeared; and he even felt their heat when they passed near him. But the vast extension of drainage in our own country has circumscribed the dangerous haunts of Will-o'-the-Wisp; while the terror-striking Corpse-Candle is now rarely heard of, save in stories around the Christmas and New-Year's hearths.

In our own day, it has been averred that strange lights are occasionally seen in the Gulf of St. Lawrence, on the Canadian coast, burning with great brilliancy from midnight till morning, and visible from the shores. The mysterious flames, however, do not indicate the watery graves

Of them that sleep
Full many a fathom deep;

but portend coming storms and wrecks.

With this, we conclude the subject and the book together.

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